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2021 Aquaculture Harvester Reporting

In the spring of 2020, aquaculture harvester reporting requirements were modified via agency rulemaking. Prior to the rule change, LPA and lease holders reported their harvest activities on an annual basis to the Aquaculture Division. However, effective January 1, 2021, *aquaculture harvest license* holders will report harvest activities on their LPA and lease sites on a *monthly basis* to DMR's Landings Program.

LPA and lease holders will still need to complete an annual report for 2020. The Aquaculture Division has already reached out to LPA and lease holders with the information they need to complete 2020 annual reports and will send reminders to complete the 2020 reporting requirements as necessary.

To help prepare for the January 1, 2021 transition to monthly reporting requirements, please carefully review the information below:

I. Aquaculture Harvest License Information

What's the aquaculture harvest license?

The aquaculture harvest license (see 12 M.R.S.A. §6810-B) authorizes LPA and lease holders to sell product harvested from their sites. If you are selling product from any of your aquaculture sites, you need to obtain an aquaculture harvester license. This requirement applies to all species. You can obtain an aquaculture harvest license through DMR's online licensing system (LEEDS) <https://www.maine.gov/dmr/commercial-fishing/licenses/index.html>, or call the Licensing Division at 207-624-6550.

Note about shellfish sales: Cultured shellfish can only be sold to certified dealers, at retail from the home of the aquaculture harvest license holder, and at retail on the aquaculture *lease* site (sales of cultured shellfish are not permitted on LPA sites).

If you don't hold an LPA or lease, but work on a site harvesting and selling product do you need your own aquaculture harvest license?

No. The holder of the aquaculture site(s) needs to obtain the aquaculture harvest license. The aquaculture harvest license authorizes the holder and "authorized representatives" to harvest and sell product from permitted sites.

For LPAs, listed assistants would be considered "authorized representatives," so those persons would be covered under the LPA holder's aquaculture harvest license. However, if any of the listed assistants hold their own LPA site(s) they need to obtain their own aquaculture harvest license to cover the activities on the site(s) held in their name.

For lease sites, the holder would obtain an aquaculture harvest license and keep updated records of the individual(s) who are authorized representatives under the lease holder's aquaculture harvest license. The records should include the first and last name of any authorized representatives and the timeframe they were

covered. That way, as operations change, there is a record of the person(s) who were authorized to harvest and sell under a lease holder's aquaculture harvest license. These records do not need to be filed with DMR but need to be made available upon request.

My lease is held by my company and the aquaculture harvest license can only be issued to an individual. What should I do?

It's up to the company to determine which individual should hold the aquaculture harvest license. However, the designated individual is ultimately responsible for making sure harvest activities are reported on a monthly basis.

With multiple authorized representatives and multiple aquaculture sites how do we coordinate monthly reporting?

It's up to the aquaculture harvest license holder to work with any authorized representative(s) to develop an internal process that works best for their operations. However, you should make sure that each authorized representative is aware of the information that they need to be collecting (i.e. the information that needs to be reported to the Landings Program) and that the information reported covers the monthly activity for each site.

Our operations are structured under a co-op model, so multiple individual farmers are harvesting and selling product they've cultivated on the same lease site. How would reporting work for this type of model?

There are two options for this type of model. The first option: Each individual farmer is responsible for purchasing their own aquaculture harvester license and reporting their own harvesting activities to the Landings Program. The second option: An individual representing the holder of the lease site purchases an aquaculture harvest license, and then designates the individual farmers as "authorized representatives." The individual farmers, or "authorized representatives," would report their harvest activities to an individual who then reports all harvest activity on the site to the Landings Program.

The first option requires every farmer to purchase and report their own harvest activities, while the second means that one person is responsible for tracking and reporting the harvest activities for multiple individuals who may be harvesting from a single site. With either option, it is very important to avoid double reporting. *Any individual's harvest activity should only be reported once per month to the Landings Program.*

II. Reporting

When are the reports due each month?

You're required to file reports, so that they are received by the Landings Program by the 10th of each month and those reports need to reflect harvest activity for the previous month (see below).

When are the first reports, under the new system, due?

The rule takes effect on January 1, 2021. The first monthly report must be received by the Landings Program on February 10, 2021 and it will cover harvest activity for January 2021. The second report must be received by the Landings Program on March 10, 2021 and it will cover any harvest activity for February 2021.

How can I file the report?

Monthly reports can currently be filed electronically through DMR's online system (LEEDs) and on paper. DMR is developing a mobile reporting app, so that reports can eventually be filed using a smartphone.

Will I receive monthly reminders from DMR to file reports?

The Aquaculture Division and Landings Program recognize that this is a change from how harvesting activity has been reported in the past. Staff in both programs are committed to helping LPA and lease holders navigate this

change. Staff will assist individuals, so they can successfully transition to these new reporting requirements. However, it's the responsibility of harvesters to remember to complete and file their reports each month.

What information do we need to report?

All of the required reporting elements can be found in Chapter 8.20(S) of DMR's regulations, which is available here: https://www.maine.gov/dmr/laws-regulations/regulations/documents/Chapter08_03152020.pdf. Some of the required information includes LPA or Site ID, port landed, species, quantity, price, etc.

If I don't harvest anything from my site, do I still report?

Some operations are seasonal, so there may be periods of time when harvesting does not occur on a site. In those instances, the license holder still needs to file a report. However, non-harvest can be reported in a single monthly report in advance of non-harvest periods. For example, if you know you won't be harvesting in March-April, you could file that report in February. The next harvest report would then be filed in June, to cover any harvest activities that occurred in May.

Is the information DMR collects through reporting available to the public or other stakeholders?

The information collected as part of this reporting is kept confidential as required by applicable statute (12 MRS §6173 Confidentiality of Statistics) and regulation (Chapter 5). DMR cannot disclose to the public any statistics unless they are in aggregate or summary form as specified in Chapter 5. The data must be combined so that it does not reveal the identity of any harvester, business, or person.

If you have questions or concerns, please contact DMRaquaculture@maine.gov. Your question will be forwarded to the appropriate staff person for response.

Thank-you!