

**NOTICE OF AGENCY RULE-MAKING ADOPTION**

**AGENCY:** Department of Marine Resources

**CHAPTER NUMBER AND TITLE:** Chapter 30.03 Taking of River Herring from Walker's Brook

**ADOPTED RULE NUMBER:**

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

**CONCISE SUMMARY:** In March 2021, DMR established a limited fishery in Walker's Brook, which runs between the Towns of Brooksville and Sedgwick. However, the March 2021 rule only listed the portion of the brook that runs through the Town of Brooksville. This rule is a technical change that adds the Town of Sedgwick to the existing regulatory language. This change is intended to provide greater clarity to the public and Marine Patrol. It does not change any elements of the existing limited fishery, which was initially adopted in March 2021.

**EFFECTIVE DATE:**

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

**AGENCY CONTACT PERSON:** Amanda Ellis (207) 624-6573

**AGENCY NAME:** Department of Marine Resources

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### 30.03 Taking of River Herring from Walker's Brook

Except from May 15 through June 5, it shall be unlawful for any person to take, in any manner, river herring from the waters of Walker's Brook, so-called, that runs between Walker's Pond and the Bagaduce River in the Towns of Brooksville and Sedgewick.

## Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

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CHAPTER NUMBER AND RULE: Chapter 30.03 Taking of River Herring from Walker's Brook

STATUTORY AUTHORITY: 12 MRSA §6171

DATE AND PLACE OF PUBLIC HEARING(S): None scheduled

COMMENT DEADLINE: September 24, 2021

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [see §8057-A(1)(A)&(C)]

The purpose of this rule is to clarify that Walker's Brook is also within the Town of Sedgewick, so the limited fishery would also apply to anyone fishing Walker's Brook within that municipality.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? \_\_\_ YES \_\_\_  NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [see §8057-A(1)(B)&(D)]

The proposed rule is a technical change and is expected to provide greater clarity to the public and Marine Patrol.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [see §§8057-A(1)(E) & 8063-B]:

Marine Patrol and staff in the Bureau of Sea Run Fisheries.

ESTIMATED FISCAL IMPACT OF THE RULE: [see §8057-A(1)(C)]

Enforcement of these proposed amendments will not require additional activity in this agency. Existing enforcement personnel will monitor compliance during their routine patrols.

***FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:***

*ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:*

[see §8057-A(2)(A)]

*INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED:* [see §8057-A(2)(B)]

*BENEFITS OF THE RULE:* [see §8057-A(2)(C)]

*Note: If necessary, additional pages may be used.*

**Basis Statement**

In March 2021, DMR established a limited fishery in Walker's Brook, which runs between the Towns of Brooksville and Sedgwick. However, the March 2021 rule only listed the portion of the brook that runs through the Town of Brooksville. This rule is a technical change that adds the Town of Sedgwick to the existing regulatory language. This change is intended to provide greater clarity to the public and Marine Patrol.

**Summary of Comments**

On January 12, 2021, the rule was posted on the DMR website. Notice of the proposed rulemaking appeared on January 13, 2021 in the five major daily newspapers as published by the Secretary of State; and electronic messages were sent to individuals who subscribe to DMR notices. A public hearing was not held. The comment period closed on September 24, 2021.

DMR did not receive any comments on this proposal.