

Notice of Agency Rule-making Proposal

AGENCY: 13-188-Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 25.04 Lobster Trawl Limits Hancock County

PROPOSED RULE NUMBER *(leave blank; to be assigned by Secretary of State)*:

BRIEF SUMMARY: In October 2018, a new trawl limit area was established at the request of the Zone B Council. DMR was aware that there was potential to refine the area described by the new trawl limit to better meet the needs of Zone B and Zone C fishermen fishing there. The Department held meetings with fishermen from Zone B and Zone C to determine what changes to the area were advisable. At their January 2019 meeting, the Zone B Council supported the Department’s proposal to amend this area in accordance with the changes proposed through the meetings that were held. The proposed rule also eliminates the sunset on the original area.

Date, time and location of PUBLIC HEARING *(if any)*: February 4, 2019 5:00 PM, Ellsworth High School (Snow date February 5, 2019, 5:00 PM, Ellsworth High School)

COMMENT DEADLINE: February 15, 2019

CONTACT PERSON FOR THIS FILING *(include name, mailing address, telephone, fax, TTY, e-mail)*:

NAME: Amanda Ellis

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Hearing facilities: If you require accommodations due to disability, please contact Meredith Mendelson at 207-624-6553.

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*: Same

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*: None

STATUTORY AUTHORITY FOR THIS RULE: 12 M.R.S. §6171-A

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*: Same

AGENCY WEBSITE: <http://www.maine.gov/dmr/rulemaking/>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: dmr.rulemaking@maine.gov

* Check one of the following two boxes.

X The summary provided above is for publication in both the newspaper and website notices.

The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rule-making notice posted on the Secretary of State’s website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____

(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
010	13A	1120	10	4946				

DEPARTMENT OF MARINE RESOURCES

CHAPTER 24

25.04 Lobster Trawl Limits

- C. Effective October 1, 2018, it is unlawful to have on any trawl more than 5 lobster traps in the following area off Hancock County:

~~From the intersection of the eastern boundary of Lobster Zone B with the Maine Six Mile Line at 44° 8.64' N, 67° 59.19' W, proceeding in a southerly direction for ~9.2 NM along the eastern boundary of Lobster Zone B to 43° 59.75' N, 67° 55.72' W, then westward at a bearing of 243.5° True for 19.6 NM to a point on the NOAA 12NM line at 43° 48.61' N, 68° 18.07' W (LORAN-C line 25675). Then proceeding in a westerly direction along the NOAA 12NM line to its intersection with the western boundary of Lobster Zone B at 43° 51.51' N, 68° 24.53' W; then northward along the western boundary of Lobster Zone B to its intersection with the Maine Six Mile Line at 43° 54.42' N, 68° 25.62' W. Finally, eastward along the Maine Six Mile Line to its intersection with Lobster Zone B eastern boundary. then ~6.7 NM southwesterly to 43° 56.0' N, 68° 3.26', thence True west to a point on the Mount Desert Rock 3NM line at 43.0° 56.0' N, 68.0° 4.63' W, following the 3NM line to 43.0° 56.0' N, 68.0° 10.84' W, continuing True west to the Maine Six Mile line at 43.0° 56.0' N, 68.0° 23.04' W. Thence following the Maine Six Mile line in a northeast direction back to 44° 8.64' N, 67° 59.19' W.~~

~~25.04 C. sunsets on December 31, 2019.~~

Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Amanda Ellis, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6573; web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: 25.04 Lobster Trawl Limits Hancock County

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

DATE AND PLACE OF PUBLIC HEARING(S): February 4, 2019 5:00 PM, Ellsworth High School (Snow date February 5, 2019, 5:00 PM, Ellsworth High School)

COMMENT DEADLINE: February 15, 2019

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

In October 2018, a new trawl limit area was established at the request of the Zone B Council. DMR was aware that there was potential to refine the area described by the new trawl limit to better meet the needs of Zone B and Zone C fishermen fishing there. The Department held meetings with fishermen from Zone B and Zone C to determine what changes to the area were advisable. At their January 2019 meeting, the Zone B Council supported the Department's proposal to amend this area in accordance with the changes proposed through the meetings that were held. The proposed rule also eliminates the sunset on the original area.

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

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

This proposal would amend a five-trap trawl maximum for a specific area, within Zone B, off Hancock County.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE:

Feedback from Zone B fishermen, Zone C fishermen, and the Zone B Council. Marine Patrol was also consulted regarding the coordinates for the area.

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.