

NOTICE OF AGENCY RULE-MAKING ADOPTION

AGENCY: Department of Marine Resource

CHAPTER NUMBER AND TITLE: Chapter 42 Striped Bass

CONCISE SUMMARY:

This rule provides an exemption for for-hire operators and crew to fillet legal striped bass dockside provided specific criteria are met.

ADOPTED RULE NUMBER:

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

EFFECTIVE DATE:

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

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42.01 Statewide Striped Bass Size Restrictions, Harvest Methods

1. Method of Taking

- A. It is unlawful to fish for or take striped bass in territorial waters, except by hook and line. It is unlawful to use a gaff to land any striped bass.
- B. It is unlawful to use multiple (more than two) barbed or barbless treble hooks on any artificial lure or flies while fishing for striped bass in territorial waters.
- C. It is unlawful to use any hook other than a circle hook when using bait. For purposes of this chapter the definition of circle hook means “a non-offset hook with a point that points 90° back toward the shaft of the hook”. Striped bass incidentally caught on any unapproved hook type must be returned to the water immediately without unnecessary injury.

For the purposes of this section, bait is defined as any marine or freshwater organism live or dead, whole or parts thereof, and earthworms, including but not limited to, night crawlers (*Lumbricus terrestris*).

Exception: Rubber or latex tube rigs will be exempt from the circle hook restriction as long as they conform with the following: the lure must consist of a minimum of 8” of latex or rubber tubing with a single hook protruding from the end portion of the tubing where bait may be attached. Willow leaf spinner rigs will also be exempt from the circle hook restriction as long as they are fished with no more than two barbless hooks. A willow leaf spinner rig is comprised of leaf-shaped attractor blades which are longer than they are wide. Use of treble hooks is not allowed with any of these exempted rigs.

- D. Any striped bass legally taken from the territorial waters shall be immediately released alive into the water from which it was taken, or killed at once. Any striped bass killed becomes part of the daily bag limit in accordance with Chapter 42.02.

2. Size Restrictions

It is unlawful to take or possess striped bass which are less than 28 inches long or greater than 31 inches long, in total length. It is unlawful to possess striped bass unless the fish are whole with head on, and are between 28 inches and 31 inches, inclusive-

Exception: Operators and crew onboard for-hire vessels may fillet legal sized striped bass for their customers dockside provided that:

- A. A striped bass carcass may not be mutilated to the extent that the total length or species of fish cannot be determined.
- B. No more than two fillets taken from legal striped bass are in the possession of each customer of that trip, representing the equivalent of one fish per angler.
- C. Any striped bass fillet shall have the skin still attached for the purpose of identification of the fillet as striped bass.

- D. All striped bass carcasses must be retained and available for inspection until all passengers from that trip have left the vessel and dock area.
- E. All striped bass carcasses from any previous trip shall be disposed of before any person begins to fish on a subsequent trip.
- F. Filleting by operators and crew onboard for-hire vessels is not permitted at-sea.

42.02 Striped Bass - Limits, Personal Use

It is unlawful for any person to fish for, take or possess striped bass in or from territorial waters, except for personal use. The sale of wild striped bass caught for personal use or by commercial fisheries in other States or jurisdictions is prohibited in the State of Maine.

It is unlawful for any person to take or possess more than one (1) striped bass each day.

Exception for Hybrid Striped Bass:

This section shall not apply to the possession and sale of hybrid striped bass under the following conditions:

1. **Hybrids** (*Morone saxatilis x Morone chrysops*). Whole aquaculture-raised striped bass shall have a tag or label affixed to each fish container holding fish.
2. **Fillets**. Fillets from aquaculture-raised hybrid striped bass shall have the skin attached.
3. **Tags and Labels**. All tags and labels affixed to containers of whole aquaculture-raised hybrid striped bass and fillets from aquaculture-raised hybrid striped bass shall be clearly marked "Hybrid Striped Bass" and provide the following information:
 - A. State of origin
 - B. Name and address of shipping and receiving dealers
 - C. Permit number of shipping and receiving dealers
 - D. Date shipped
 - E. Net weight of container
4. **Nomenclature**. It is unlawful for any person to market, promote, advertise, or sell whole hybrid striped bass or hybrid striped bass fillets as "striped bass." Only the term "hybrid striped bass" shall be used when marketing, promoting, advertising, or selling at retail hybrid striped bass and hybrid striped bass fillets.

42.03 Striped Bass - Closed Area and Closed Season

- A. Except as provided in 42.03(B), from the 1st day of December to June 30, inclusive, it is unlawful for any person to take and retain any striped bass from

the tidal waters of the Kennebec River inside and upstream of a line drawn from the outer extremity of Cape Small to the outer extremity of Salter Island, thence to the outer extremity of Cape Newagen and including Merrymeeting Bay and tributaries, the tidal waters of the Sheepscot River, Androscoggin River, Sasanoa River, and all other tidal tributaries of the Kennebec River. From July 1 through November 30, statewide regulations apply to this area.

- B. **Special Hook and Release Season/Area.** From May 1 to June 30, it shall be lawful to fish for striped bass in the waters described in 42.03(A) with a hook and line and single hooked artificial lures. Any striped bass caught during this special season/area fishery shall be immediately released and returned alive, without further injury, to the waters from which they were taken.
- C. **Waters Seasonally Closed to the Use of Bait.** From May 1 to June 30, inclusive, it is unlawful to possess or use bait while hook and line fishing for any finfish species in waters described in 42.03(A). During this closed season (May 1 to June 30), possession of hook and line fishing gear and bait on waters described in

Basis Statement

This rule provides an exemption for for-hire operators and crew to fillet legal striped bass dockside provided specific criteria are met. This aligns striped bass with other species allowing for-hire dockside filleting for customers, while abiding by ASMFC Striped Bass Addendum II provisions.

Based on mixed support in the public comments received, the proposed language implementing a May 1 to June 30 special hook and release season/area in the Saco and Presumpscot rivers and closing these waters seasonally to the use of bait, has not been included in the final rule.

Summary of Comments

On February 12, 2025, the rule was posted on DMR's website and electronic messages were sent to individuals who subscribe to DMR notices. Notice of the proposed rulemaking appeared on in the five major daily newspapers as published by the Secretary of State. Two public hearings were held. On March 3, 2025, a public hearing was held both in-person at the DMR headquarters and remotely via Microsoft Teams. On March 5, 2025, a public hearing was held in-person at the Yarmouth Town Hall Community Room. The comment period closed March 17, 2025.

The Augusta hearing was attended by the following individuals:

Name	Affiliation
Deirdre Gilbert, Megan Ware, Corrin Flora, Craig King, Matt Talbot, Patrick Keliher, Meredith Mendelson	Maine Department of Marine Resources
Oliver Curry	
Randall Holman	
Vincent Barra	
Tobias Lacey	
James Garland	
Bob Humphrey	Sportman's Alliance of Maine
Kyle Schaefer	
George Norris	
Jeffery Smith	
Robin Reagan	
George Norris	
Leslie Brown	
Jason Bartlett	
Basil Mahaney	
David M.	
Matthew Wyman	
William DeVoe	Maine Department of Marine Resources
Thomas Stanhope	
Matt Sinclair	Maine Marine Patrol
Caitlin Trafton	
Trevor Herrick	
Jesse Macphail	
Germain C	
Ralph Colby	

Derek Ridgeway	
Sarah Praisner	

The Yarmouth hearing was attended by the following individuals:

Name	Affiliation
Deirdre Gilbert, Megan Ware	Maine Department of Marine Resources
Bill Macumber	
Paul Cote	
Lou Tirado	
Alex Tragakes	
Zach Whitener	
Chris Uранеck	Maine Department of Marine Resources
Courtney McFarland	
Robin Thayer	
Diane Bynion	
Paul Korenkiewicz	
Bob Humphrey	
Ben Whalley	
Tom Schaefer	
Peter Mourmouras	
John Bruenger	
Vincent Miniutti	
Matt Sinclair, Alex Hebert	Maine Marine Patrol

Simon Rucker, Portland, received via email, February 12, 2025

To Whom it may concern:

I support expanding the special hook and release season/area and the waters seasonally closed to the use of bait regulations on striped bass from May 1 to June 30 to the Saco and Presumpscot rivers.

Scott Brydon, Gorham, received via email, February 12, 2025

I am in favor of the proposed regulation outlined in the email of 2/12/25

Matt Boutet, Biddeford, received via email, February 12, 2025

I'm a recreational fisherman in Biddeford, so I fish the sacco almost every day during the season, and I'm thrilled to see DMR taking action here.

I mostly fish out of Norwoods Marina just upriver of the Camp Ellis pier, and the water is cold & salty enough there to keep mackerel overnight. A number of people at the marina, both striper and tuna fishermen, do just that. We often try to catch mackerel the night before and keep them in the well for early morning trips before work when we're tight on time.

I realize this is a bit of a corner case, but it would be a shame for this practice to become illegal as "prima facie evidence of violating this regulation.". It might be a tough needle to thread, but it'd be nice if possession of bait while transiting the lower river wasn't illegal.

On balance, I think the new regulations are important enough that I'll adjust to not being able to keep bait overnight in the livewell, but it does kind of seem like throwing the baby out with the bathwater.

Andrew Omalley, Hillsborough, NH, received via email, February 12, 2025

I would like to submit the following public comment on the proposed changes and amendments to Chapter 42:

I was formerly a longtime Maine resident and currently a New Hampshire resident but still make annual trips to Maine to fish for striped bass. These fishing trips for striped bass both as a resident and non-resident of the state were frequently to the estuaries of the Saco, Presumpscot, and Kennebec Rivers. The Saco and Presumpscot trips were often within the May 1st to June 30th time frame of the proposed new restrictions.

1. I support the proposed new restrictions on harvest and the restriction on bait fishing within the Presumpscot and Saco estuaries. These areas constitute a high concentration of large striped bass and a large concentration of fishing pressure. The closures will affect a lot of anglers but have a high chance of having a meaningful positive impact on the fishery resource.
2. I support the exception from size restrictions as proposed to for-hire vessels: For hire vessels should be required to land with measurable and identifiable fish so that they can be checked dock-side for enforcement purposes. I have personally witnessed for-hire vessels in other states intentionally filleting undersized fish and saying "They can't measure fillets!"
3. A clarification comment: It is unclear how long the public are required to keep their harvested striped bass in the "whole with head on" condition. Can the public fillet them upon reaching the dock? Their car? Their house? Do I have to retain the whole fish through cooking? I think this section could use a bit of clarification for the benefit of the public without changing the spirit of the rule.

RJ W, received via email, February 12, 2025

This is very not Maine. If my 93 year old's neighbors son who passed who was a life long Mainer, not too long ago heard about this Maine staple potentially being taken away (bait fishing at Camp Ellis right when you want to be) he would say just like me. This is not very Maine. I look forward to it all year, I'll say this I think your slot size regulations have caused lures to not work well, they have been caught so many times they know not to hit the lures. All I caught last year was on bait and I am usually a lure guy. With bait we use circle hooks like you require (even though they cause more mortality than j hooks) yet still you want to take our hobby from us. We freeze all winter waiting for a small hope of potentially pulling a striper out of the Saco fishing there when we should be with what we should be and you want to take that away. What about the charter boats? What about the commercial guys? Or is that what this is all about? Is it that you guys think rec guys like me every other weekenders or so (cause I don't live on the coast) take away from charter boats catch ratios . Well I will tell you this. If you pass this you won't be getting my money for a fishing license this year I live near NH . I will just spend my money on a license there. I will not buy any more fishing equipment from the state of Maine or online. I will just buy it all from NH or Mass and give them my money. If there's other guys with my mental. Expect a heavy financial loss. You'll prob just up the property taxes and tax all sorts of other random stuff to make up for it since you guys are trying to be like Massachusetts . Every year you try and rattle rec striped bass fisherman who fish from shore. Maybe it's just that rich people don't want people like me fishing near their houses that are going to get flooded anyways I don't really know. When I moved to Maine over six years ago it was at least semi normal. Now every day something fun gets taken away or another staple of the state vanishes because of special interest groups and a bunch of bull crap. Maybe next time before you implement circle hook mandates do some research. I gut hooked every fish I caught on a circle hook this year first year I never used them because like I said I am usually a lure guy. But your slot size made me switch to bait to be able to catch fish.

Tim Tremblay, received via email, February 12, 2025

The current size regulations on recreational fisherman are a joke. I don't believe recreational fishermen being allowed to keep 1 fish per day of 28 inches or larger would endanger the stock. I personally saw several 30+ inch strippers washed up on the beach this year that were left by fishermen who couldn't keep them after they were caught do to these "laws".

Vincent Barra, received via email, February 15, 2025

Dear Corrin Flora:

I reviewed the proposed rulemaking as it pertains to the Saco River.

Can you please clarify:

Does this proposal effectively prohibit the taking and possession of Herring, Mackerel, clams, sand worms, squid etc. on the Saco River upstream of Camp Ellis May 1-June 30 by hook and line if you have a fishing pole and hooks on your boat? Although I do understand the alleged mortality concern of Striped Bass near the dam, it seems rather harsh and unfair to include the area from the Marble Head boat ramp to Camp Ellis for those anglers fishing the open water downstream from the Marble Head boat ramp which is the only access to the River for many. As an example, if an angler launches their boat at Marble Head and specifically targets and retains Herring, Striped Bass, Bluefish, Haddock, and Mackerel taken by hook and line downstream of Camp Ellis would possession of these species be in violation when returning to the boat ramp with a fishing pole and hooks in their boat? This seems to effectively prohibit retaining any fish from Marble Head boat ramp through June 30 that can be used cut up or live for bait? I hope this proposed rule does not effectively close the entire Saco River to all fishing. Just as exempting smelts, shouldn't the rule exempt Herring and Mackerel upstream and downstream from Marble Head boat ramp for those targeting to retain Herring and Mackerel? Can you please comment on this for me and perhaps address it at the upcoming public hearing?

Kyle Banfield, South Berwick, received via email, February 15, 2025

To whom it may concern,

My name is Kyle Banfield. I am a resident of South Berwick, ME and an avid Striped Bass angler.

I am STRONGLY IN FAVOR of the proposed regulations and hope there are more to come. We need to act now to protect this species so that future generations of sportsmen and sportswomen can enjoy pursuing this great fish.

Thank you for your consideration.

Kyle Banfield

Randall Holman, received via email, February 18, 2025

Good morning,

I am contacting you in reference to this email I received last week regarding the closing of the Saco River to bait fishing. I am a charter boat captain, and I have been fishing the river for the past 8 years. I keep my boat at Marston's Marina 2 miles upriver from the Camp Ellis Pier. As a charter captain, I am 100% AGAINST this proposed closure that will directly affect my charter business in a negative way if implemented!

I have some questions regarding the meetings. Will you be having a meeting in the Biddeford/Saco area for the residents and business owners of these towns who will be directly affected by this closure? Have you contacted any of the charter boat operators who run charter boats on the river? Have you contacted any of the 3 marinas on the river to see if this closure would have a direct impact on their business? Have you contacted the Biddeford+Saco chamber of commerce, and the Camp Ellis harbormaster to see if they support the closure that will have a direct impact on the local business in the area?

When is this proposed closure going to be implemented? Do you have any scientific studies, and/or supporting documents you can share with me to support your need for this closure on the entire river?

Randall Holman, received via email, March 16, 2025

Hello, I am sending this email to express my strong opposition to the proposed regulations for the Saco River. I am an avid angler and charter boat captain who actually fishes the Saco River, and for the past 8 years I have kept my boat at a marina on the river. These new regulations will have a direct negative financial impact on my charter business, as well as the other charter boat captains that fish this river! I oppose these new regulations for the reasons I will list below.

In the email exchanges below, I was told that the Saco River was chosen because of concerns about the sightings of dead fish floating on the river. But there is no scientific evidence to support the need for these regulations as it relates to the dead fish seen floating on the river, and there are no issues from an enforcement perspective to warrant imposing any new regulations at all on this river! There is also no consideration being taken for the social and economic impacts that these new regulations will have on the people who actually fish this river for recreation, no consideration for the charter boats that fish the river, and no consideration for the local business that rely on the fisherman and boaters who use the river and support the local business!

There were 2 stakeholder meetings that were held recently, with only 5 people in attendance at the first meeting, and 13 people in attendance at the second meeting. Both of these meetings were held out of the Saco area, and were insufficient for proper representation of all the people who these new regulations will directly impact. I feel for the proper stakeholder representation and proper due process, there should at the very least be another meeting scheduled and promoted in the Saco area so the people who live near, and actually use the river for recreational fishing, or the charter captains and local businesses can have a better chance to express their thoughts, and/or opinions as it relates to the proposed regulation changes!

The ASMFC has chosen to not make any changes to the regulations for 2025 until they can properly assess the stock data from the 2024 season, and I feel that Maine should hold off on making any regulation changes for the Saco River until the people who use this river can be properly surveyed, and some form of scientific evidence can be produced to warrant the need for any new regulations specific to the Saco River. There has been no scientific evidence produced that there is a need for these new regulations on the Saco River specifically, and no evidence that these new regulations will solve any perceived issues if implemented.

Thank You, Randall Holman

Capt. Marco Lamonthe, Saco, received via email, February 25, 2025

I fully support the proposed changes. Artificial lures and no retention makes sense to me. The volume of injured and dead striped bass in the Saco River estuary during the spring herring run has been a steady concern of mine.

I will be away and will not attend the meetings you have scheduled next week.

Thank you for crafting this plan. I am hopeful the changes will become law.

Tim Tremblay, received via email, February 25, 2025

Will not be fishing striped bass in Maine anymore. Your rules are killing surfcasting (like we take so many fish). If you want to protect the fish ban fishing them altogether, then at least there won't be beautiful 38 in stripers washed up in the sand dead because an encounter with a fishing hook went bad!

I was always under the impression that natural resources belong to the people but I guess they belong to the corporations that get to make their own rules and fish until they're content.

Paul Woodman, received via email, February 27, 2025

Hello

Not many folks are fishing from shore that will impact the population. Please designate this rule to boats and let anglers fish the river. It is right when everybody is psyched to do some fishing.

Ian Stevenson, Peaks Island, received via email, March 1, 2025

Dear Maine Department of Marine Resources: I support the proposed rule modifications to Chapter 42: Striped Bass, expanding the special hook and release season/area and the waters seasonally closed to the use of bait regulations on striped bass from May 1 to June 30 to the Saco and Presumpscot rivers. I have seen these regulations successfully imposed (and enforced) on the Kennebec River. As a recreational fisher for striped bass, primarily in my home waters of Casco Bay, I am acutely aware of how interconnected the health of the species' populations are to commonsense rules. This is one such instance where recreational anglers would still have the opportunity to pursue this trophy species but also reduce mortality during the key migratory periods when the population is concentrated in these two key river ecologies. I am an environmental historian who has written about dam removal and river restoration. History has proven that small changes to our treatment of populations of fish in rivers can have a big impact. This is one of those occasions. I hope you will adopt these new regulations.

Sincerely,

C. Ian Stevenson, PhD
Peaks Island, ME

Scott Brydon, received via email, March 1, 2025

I support expansion of hook and release regulations proposed for 5/1 - 6/30 on Presumpscot and Saco Rivers.

Timothy MacKay, Biddeford, received via email, March 1, 2025

Over the past few years I have fished the Saco River as often as possible during the Striper season. Several issues have stood out to me that may be helpful you.

Early in the season flooding brown water reduced the number of fish that I caught. They were also seldom visible on the surface while the water was opaque.

The temperature of the water grew warmer and lingered longer than what I considered normal for several summers recently. I've seen videos of large schools of Striped bass that gather off the coast rather than entering the Saco River.

Fishing at the dam and by the mills seemed to have an influx of people fishing that appeared to be killing a significant portion of their catch and tossing the fish back into the river. I can only speculate on their motivation but closing the area to fishing appears to have significantly reduced the dead fish floating in my opinion.

I feel for the wardens. I've only seen them a few times and I believe they need help.

I believe the current rules would achieve our goals but I don't know that with the current staffing they can be enforced.

I have been keeping logs for the volunteer angler logbooks Maine but sadly I don't know if my data would server to quantify the concerns.

Respectfully
Tim Mackay

Germain Cloutier, received via email, March 3, 2025

I am 100% in support of not being allowed to use live Bait for Striped Bass until June 30th. These fishing technologies have lead to many dead striped bass in the Saco river, and many in the Piscatiqua River near the South Berwick Dam. I would Encourage Maine DMR to just expand the limitations to ALL rivers that way people don't just hop to the next waterway to do this practice. It has lead to a lot of poaching and illegal activity of taking of Alewives and Striped Bass. Please do what's right for this species. It would be nice to see Maine give Striped Bass as a catch and release fishery. Thank you for your Time.

Thank you,
Germain

Robin Regan, South Portland, received at public hearing, March 3, 2025

Thank you for letting me comment. My name is Robin Regan. I am in South Portland. I've no affiliation with any kind of outfit, just a recreational guy. I agree with the points from the previous speaker. There doesn't seem to be a precise study here of the Saco or the Presumpscot directly or of the specific impact that this kind of restriction could have. I have fished the Saco more intensively for the last 10 years than the Presumpscot. I've been in both, but have some experience in Saco so wanted to share my experience there. I'm catch and release entirely from Saco in the spring, so I don't know fish there. So I'm motivated, you know, in any kind of way. The stock on the Presumpscot, as I'm sure everybody knows about, not telling anyone anything they don't know, they're not the Kennebec. They are extremely small waterways compared to the Kennebec, or anything down South like from Massachusetts, like the Cape Cod Canal or something. The furthest the fish can get is like a mile in there before they can't go any further. The Saco going to get 4 miles in there and it's pretty narrow. The Kennebec, they can go what, 50 miles? So they're geographically small. The season in there in the spring, especially in Saco and I'm speaking more to the Saco, is very fast and short. It is not May and June. It's a fraction of that. The peak of activity occurs in the Saco in a week or two. So it is very self-limiting in that way. It's very natural. Naturally self-limited and because it's so small where the activity is happening, it's very space restricted. So not many anglers can get in there. They will try and there will you know, when you look at it at peak season at the right time in the right space, it's going to be a lot of boats in there, but it's actually not when you think about the grand scale of things. It's like 30 boats. I was there last spring and I assume I was there on the busiest day, like 31 boats in there. So using that as my sort of basis for data. There are 31 boats in there, about half of them were actually succeeding in catching fish. There was a lot of activity going on, but still only about half of them were actually successfully catching fish. About half of those even kept a fish. I was there all-day busiest day and I can't imagine that more than 12 fish were kept harvested out of the water, mortality different story. I don't have any data on that. So that's the busiest day I'm assuming from last year. And when you know when you look at the total season, it's only two weeks maybe of really high activity in there. I can't imagine we're talking about more than a couple 100 fish. I would be surprised if you actually did a study on it and there were more than, I don't know, 100 to 200 fish harvested and accidentally killed. So I can't imagine restriction is going to have any real impact on the population. It's not really population management because it's such a small rounding error. I have heard the stories of dead stripers in there. I don't see a lot. What I have heard, and this is again anecdotally, is not from the bait guys. Of course, there's going to be mortality from bait guys. I don't disagree with your data there, but what I've heard in the Saco is it is mostly people casting from the shore, and they're under or they're trying to get 200 feet on the water and they're under gear. They're using very light gear. To get out there, they hook a fish. They're not prepared to handle a 30-inch striper and they fight him to death. So you might see one or two float down the river. It's upsetting so I can see what you hear about it, but again, I think if you if you got hard data on it, it's not just not a lot of numbers. And because the season is so short, it doesn't go on for very

long at all. In light of all that, it seems like restricting taking away people's access and their right to fish certain ways in that water is a little draconian without good data. Back it up with that season again, it's very short and the space is very confined, so not a lot of people can get in there. You've already got, you know, circle hooks for bait. I don't know when that went in like 10 years ago. Huge win, right? Huge, huge win for mortality. We have tiny slot. That's another significant restriction that saves a lot of fish nothing. No 40-inch above, nothing in the trophy class are kept, so that's another. So you've already got like a series of restrictions to make sure it doesn't get out of hand. And then last thing I'll say also agree with the comment from the first speaker about doing this proposed restriction on the recreational guys at the same time you're increasing the commercial harvest of menhaden. Which is something that would have a massive impact, could have a massive impact on the population you're talking about 10s of millions of bass that could actually allow 10s of millions of bass to eat more. I don't know how to reconcile that kind of management that doing those two things at the same time leaves a lot of questions on the table as to what. How it's being managed? That's all I wanna say. Thanks for letting me share my experience in the Saco.

Kyle Campbell, received via email, March 10, 2025

There is absolutely no need to take bait fishing away in the Saco river! You guys already regulated the upper part of the river making it so you can't fish behind the ROM restaurant. Further more there's ZERO parking to be able to fish the legal side of the Saco river. Don't take further action on this. I believe the artificial beats are the whats killing the fish. This big lures with multiple trebel hooks.

Jeffrey Smith, Richmond, received at public hearing, March 3, 2025

So, Presumpscot, I usually spend I want to say every day of herring run, if I can get off work, I'm down there tide willing. I'm not against this proposal as a whole as a recreational angler. I feel kind of like Maine recreational anglers have taken the brunt. For the states south of need to fix first. You said 4% mortality and the biggest issue I have with the proposal is Maine is 4% of the whole. And now you are saying 90% of Maine's mortality is release mortality from catch and release. So now you are proposing the Saco River and Presumpscot River go to catch and release only. So you got a 90% mortality that you're figuring off of that from law books or creel from dock side? I have yet to see a DMR official at all conducting creel in person on the Saco or Presumpscot with 30-40 days during the herring run present. I've seen two marine patrol officers down there. It's the enforcement not there to begin with. You know if you just go to catch and release it's not going to get rid of the mortality. You said it yourself. Retention is not a big issue in mortality. I'm kind of thinking selfish for myself. I might go down there with the intent to eat the fish. I keep the fish and I leave. Not going to sit around there and catch 20-30 fish when I can keep a fish. Where is data on retention? There is no data from a recreational fisherman standpoint that you guys have that shows retention. You have volunteer logbooks. I don't how many you do, you conduct creel boatside from head boats, charter boats, and recreational fishermen to come into those ports where you do check EM, but there's nothing. There is nothing to say what our intention is. I am not going to say I'm for whatever. It is good for striped bass, but we take the stick kind of hard and a lot of guys coming in they don't have time to fish. These two rivers offer shore access. Not everyone has a boat. You know there are only about one or two days to fish it. It is a vulnerable time for striped bass with the herring run. At the same time it's pretty much all we have as a shore fisherman and it's being restricted. I'm not saying there's more mortality, I think it's a small area and gets put in the spotlight because there is a mass of public there. There are people there, that's why you are seeing the mortality. You don't see the mortality on the beaches or the boats out in the harbors. These two are two of the larger herring runs in the south so they end up in the spotlight. I can't comment on the Saco. I know it's kind of a zoo down there, so I minimized when I used to fish it. But it's a 10 minute walk to Presumpscot falls. It's a different fishery from just the amount of people who can access. Where's the data from use of people? How many people are using this a day? What's the retention of these rivers? What's the mortality from catch and release on these rivers? It seems like that proposal being put up without any data on these two rivers as far as mortality and retention. It's being shutdown before what data is collected. I guess my biggest comment

would be, I don't know if you duck hunt, it's federally protected. When you buy your license online, at the end of year you get a survey. You know what's shot by species. Roughly time you know everything that would be filled out from a creel survey. When you buy your freshwater license online you get one question of did you fish saltwater. How hard to add a question - did you striped bass fish? What was your retention? Gives a picture more of recreational anglers. Volunteer logbook is not giving full picture. Asking questions at end is free data. It would at least give the Department a kind of picture at the recreational anglers. I don't know what numbers you guys have for volunteer logbooks, but I'm guessing it's a fraction of what there is out there for recreational anglers and it seems like it you only take data from such a small piece of the pie you're not seeing the whole picture. Maybe there's a higher retention, maybe there's a higher catch and release mortality, but at least you get the free data. I am for whatever helps protect the striped bass, but there are bigger issues to the south of us. You guys are trying to fix water damage from roof without fixing the leak in the roof. I think at some point the states to the south need to be putting in the same effort. It seems like it's always Maine. It seems like Maine anglers are the ones that take the brunt. This is even a commercial fishery to the south. We take the 4% and 90% from catch and release mortality, it in the death. Where's the data from retention. I believe in the Kennebec River regs, I believe it can do some good for the for the rivers, but why? Why close it to retention? It's hard enough to catch a slot fish as it is. You know, if your percentage mortality from actual retention is so low. And catch and release mortality is so high. Why we not allowing retention but we allow the only issue that's actually probably killing more striped bass than retention itself and catch and release. I'm not against it. I just believe this is not how these things should kind of work. You should collect the data first you know and move from there. I'm not against it, but I am against the limiting retention if that's not the issue. Without having data in the 1st place to see what there is from it.

Thank you.

Kyle Shaefer, guide, received at public hearing, March 3, 2025

Thank you so much for opportunity to comment. My name is Kyle Shaefer. I am a Maine guide for striped bass in southern Maine and first off I would like to thank the Maine DMR for the opportunity to comment on reducing catch and release mortality in our striped bass fishery. From my first hand conversations, many, many Mainers have a much bigger appetite for conservation and encourage ME DMR to be proactive and work with other states and lead by example. So we appreciate this opportunity. There is a tremendous value in the striped bass abundance for vacationers, weekend warriors, kids, guides, and everybody in between, and abundance as we know drives participation from all sectors. I thank the DMR for this proposal and the chance to comment.

We encourage the DMR to go further and continue to reduce risk of losing this special fishery. I absolutely support this measure but feel that it does not go far enough and we also of course it's not the time to talk about other states, but really hope other states go further. You know it's also, I know that other points and potentially more widespread conservation was talked about in the state of Maine, so it is disappointing that we are just talking about this measure is just two small estuaries. You know we also want a future in this fishery and we desperately need leadership from our state and ASMFC to repair what we have left. Think it's time to be bold and protect these fish. The proposal feels also like it's a perfect example of a common sense, proactive measure that truly should be proposed when the fishery is healthy or even at its peak. I don't feel we need to be in a very reactive position to put measures like this on the line for public comment. You know, I think areas that we do have very high catch and release mortality, it's good to address when healthy. We have too much to lose and with six years of, you know, almost non-existent recruitment, feels like it just doesn't quite meet what we need to do for this fishery. So, while I applaud you guys for proposing this, it just feels like timing is a bit awkward, you know. And I think meanwhile we're looking at the Menhaden season being proposed to be open two weeks earlier, which is going to have a major impact on the striped bass fishery. As soon as we see menhaden get scooped up out of our coast, the striped bass move on and it also looks like, you know, there's an appetite from ASMFC, a recent press release, to open more and more herring runs for harvest. I just want to remind the Maine DMR that you know this is such an important fishery to so many people and I think the way the state of

the fishery is right now allows very little people to access it and enjoy it. And I just picture what this can be and hope that we can all come together to save what we have and hopefully have some good spawns and can be more proactive in the future. But I do support the measure and really appreciate everybody's time.

Bob Humphrey, Harlow, charter and Atlantic striped bass AP, received at public hearing, March 3, 2025

All right, I wear many hats. I'm Bob Humphrey from Connell, Maine. Charter guide I serve on the Atlantic Stripe bass advisory panel for ASMFC and other things tonight. Very briefly commenting, as Vice President of the Sportsmen's Alliance of Maine, we tend to present written comment and I will also be present at the Yarmouth hearing, but we support both proposals. And then I take that hat off.

Speaking as a private citizen. I agree with the original speaker, Mr. Schaefer. Yeah, there's more we could do. There's more we should do, but it's important to understand and I appreciate the Department pointing this out, that anything we do right now, we're not going to get credit for. So if the Commission comes back after the assessment a year from now and says every state needs to cut 15% or 18% or 20% mortality. There are going to be even further restrictions placed on Maine fishermen. So I think this is a sound approach. Let's do what we can. Maybe approach this and try to cut back, but it's also prudent to step back and wait until we're forced to do it, because that's probably what's gonna happen. Those are my comments. Thank you.

George Norris, Falmouth, received at public hearing, March 3, 2025

I'm George Norris. I'm from Falmouth, ME. I'm not speaking on behalf of the tackle shop, but I work at the tackle shop in Portland and I know a lot of the guys there share the same opinions that I do about the fishery and conservation.

With that being said, I think that both motions are definitely solid motions. I support especially the carry-over of the Kennebec regulations in both the Presumpscot and the Saco. I think that even though they're so much smaller than the Kennebec is, I think that the impact that is seen from those rivers in such a short period of time is immense. I mean I fish. I haven't fished the Saco much, so I can't speak a ton to that, but I've seen pictures and heard from a lot of customers who come into the tackle shop talking about the release mortality. A lot of people killing fish out of that area. And even though it's only a month, maybe a month and a half period in which that's happening. If there's fifty people down there in one day and even half those people catch and keep fish. That's a high mortality rate in my opinion. And that's going on every day for a month. And I would say that a lot of the mortality that you're seeing is coming from people fishing with either live or dead alewives. I think that even if you didn't move forward with the carryover of the Kennebec regulations, even just removing the option of fishing with bait in that period. So I know that right now I think it's closed Thursday, 6:00 AM to Sunday at 6:00 AM, which is fantastic. Those are obviously the highest peak traffic, but I think that even if you just close that for good for those that two-month period you would see a lot less floating fish as well as a lot less people harvesting fish. And I do think that people have the right and should continue to have the right to harvest fish, but I think that doing so out of those areas, I mean people that fish there know that at times it's like shooting fish in a barrel. I mean, you can go down there and you can catch fish every single cast for four hours straight. And if you put in enough time, you will see that and it happens very frequently, and I feel as though we're seeing a lot less of it because there's less fish and there's so much more bait. But yeah, I mean, I agree with a lot of what Kyle said in the beginning, I think that this is kind of the tip of the iceberg. I think that this is a great idea to move forward with these regulations, but I think that like making it statewide. In terms of no catch for a season or so, no retainment of fish for a season, so like a state moratorium or something like that would have obviously a greater impact. But I do understand that Maine itself has such a low impact based on the kill of fish, that this not wouldn't necessarily be a huge impact overall. I would have loved to see the whole fishery up and down the coast go to a moratorium. This year, but you know, other people don't even think that the fishery is declining, so there's not much you can really do about

that. But yeah, I think that this is a great step forward and I appreciate the fact that Maine has always been a leader of conservation and I feel like that really. Carries over what a lot of Mainers are looking for, so I appreciate you guys time and allowing us to comment. So thank you guys.

Michael A. Carrier, Owner MACs BBQ and Catering, Biddeford, received via email, March 4, 2025

Good Afternoon,

This is an open letter of disapproval of the upcoming stipulation regarding the Striped Bass Rule 42 Regulations for the Saco River.

During the month of May and most of June ,there is a fishery that is second to none for local fishermen and charter boat fishermen who rely on the fishery to sustain a livelihood.

Over the years we receive word of new regulations, slot limits, hook variations etc. to preserve the fishery.

I personally have fished over 40 years on the Saco River,and patrolled the river for the Saco Police Department for 4 years.

Instead of this proposal, I suggest one fish per person , use hook guidelines already in place, proper enforcement and education to reduce the mortality rate.

Punish the violators , not the honest and law abiding fisherman.

Respectfully,

Michael A Carrier

Bill MacCumber, Received via public hearing March 5, 2025

Thanks for having us. First of all, I'm really excited to have a chance to put my two cents in and I've got a few ideas. I want to just mention that I'm an expert in behavior change. I have a degree in psychology and masters, and I've been helping people change behavior for thirty years. You know, as a therapist I've also changed kids lives fishing with them in Saco during this season because you can have the bait and I can have my one hour at a time and hop in river with them and almost always get a bite or two. And I have so many examples of stories of kids who, all of a sudden, their attention to nature was transformed in an hour on the river. So as far as behavior, I think there's a pretty good precedence where just setting regulations doesn't really do it, and I think that we're missing opportunities here when there's a big problem, it is a big problem. I think anybody that has fished in that river has seen some of the mortality, which I haven't seen in years prior. You know, it wasn't like that, but last year there was definitely more fish in the river. That partially resulted because of this tiny little slot that they give us. You know, I think you could cut out a lot of mortality by making the slot much wider, for one thing. I know it's a bigger issue than what we could do in Maine. But education, we do know changes behavior; and we also know it is a pretty effective. Like the widely accepted process that they use for recreational lobster fishing that requires review of a book and proof of like some knowledge about what has to be done. I think you could issue, instead of just cutting it off completely, permits to people who are willing to check out this little booklet about the different ways of decreasing the catch mortality for releases and that could include measures such as if it's hooked in the gut, you have to cut the line. You shouldn't be trying to extract it. It could go as far as keeping the fish in the water. There's a couple other ideas, but the other piece is even if you just leave it open for kids under sixteen, because there's nothing like live bait fishing. And it's fun and it's reliable. I've been in the river casting all day with a lure and you're lucky to get a hit on anything except when a blitz happens. Like you wait around till the blitz happens and then you can catch one with a lure. There are some exceptions if you control right but in general it's so hard to catch these fish in the river. And the last thing I'm going to say, and I'll probably submit some stuff writing, is try to be creative with the solution instead of just all or none 'cause that's the simple way to do it. But there's some better measures. This tactic of issuing a permit like that would also really encourage a lot of people to do what they need to do to learn how. And so we almost, you know, cut it all off. But if we can see reductions on this, so you have a chance because you're going to get pushed back on this every year as long as it's in

place. This is the type of thing that could work. And because people want to access this fishery, they're going to be motivated to spend five bucks on this little permit. Then you have to submit the thing that they know what they're doing, that they're willing to do it, and you can even go as far as doing something that the commercial fishermen do with tuna, which is we have to note where we caught it. You know, for released, how much we caught. You could entice people to give much more data too. If you're going to fish this fishery we expect these reports to come back that: this is how long we fish; this is how many fish we caught; this is how many released; This is how many... So you could gather a lot more information that way. And then on a separate note, this might seem less significant. When I first started fishing there, I was in a twelve-foot john boat and I could just kind of paddle out and get bait. If you really limit shore fishermen there it's kind of a class system move. Now to go out and live bait fish you got to get a bigger boat. You got to get out in the ocean, which brings up safety. People don't necessarily know what they're doing. And if you just don't have that kind of money to fish offshore. In the river it's safe, you can fish any type of anything that'll float. You can fish on the river. All right, so there is my two cents.

Paul Cote, Biddeford, Received via public hearing March 5, 2025

Paul Cote rec fisherman from Biddeford you say yourself that this measure that you're proposing isn't really going to affect anything. Doesn't exempt us from any future rule changes coming down. So why put the Saco River through that? It's not going to do anything but aggravate people. Discourage fishing. Why don't we just see what the rule is coming down. Whatever we do here this year isn't going to change anything in the big picture. We're small drop in the bucket of what's going on out there. And that's my two cents.

Bob Humphrey, Received via public hearing March 5, 2025

Thank you. Thanks for that presentation. My name is Bob Humphrey. I am vice president of the Sportsman's alliance of Maine. I am on the Atlantic States Marine Fisheries Commission Striped Bass Advisory Panel, and I am a charter operator. I plan to submit written comments, so I can be very brief tonight and let other people speak. I just want to say that I support these measures. And just a short editorial comment, I think the important bullet point of what this won't do is the second one. When the assessment comes in from this year and it has bad news, which is probably going to be the case, then we won't have a choice. We're going to have to take more cutbacks, at least fourteen percent, and that's on top of what we do now. So, people who think this isn't enough, I agree. But let's wait until it's forced down our throat before we do too much, because we're not going to get any credit for it with the Commission. Thank you.

Tom Schaefer, Received via public hearing March 5, 2025

My name is Tom Schaefer. I support this. I don't think it's enough. I think Maine 's been a leader in conservation. We need to continue to, you know, rebuild the stock. We need to continue to be an example for the other states in the East Coast, and this has already happened before. You know, we've seen this stock collapse and we're right there. We can't keep continuing to kick the can down the road. I personally have said before, I don't think it's enough. Let's not wait until the fisheries completely collapsed to try and rebuild it. Let's try and make it so we have this for future generations, Kids. I don't have any kids, but I want the next generation to be able to enjoy this resource. Other states have, you know, have other species. This is all we have for our saltwater species. You know we lose Bass we lose pretty much everything here. That's My comment.

Vincent Miniutti, Received via public hearing March 5, 2025

My name is Vincent Miniutti. I'm charter fisherman out of Saco part time. What are the other states doing? We're four percent mortality. What are the other states doing similar to what we're doing? I mean, I charter fish on the river and June is not as big a month for us, but it's still it's money out of our pockets. And we had so many fish last year that the mortality is going to be high because we had a lot of fish. It is just going to make people take their boats, go out front, jig mackerel and kill just as many fish as they

were going to kill at the dam. It's because you could fish out there, kill a fish, and bring it home and fillet it. So, you're not, I don't see what you know, just because fish all congregate in one spot. You know another thing circle hooks are the biggest mistake that ever went down the road for live lining, live bait because they gut hook. People don't know how to take the hook out. They don't know how to turn the hook out with a special tool. They either yank it or try to yank it out with a pair of pliers and that's where your mortality comes from. So that's pretty much all I got to say. Commercial tuna fish is like the nuisance fish out there that they're catching them on a hundred fifty-pound test, bringing in fifty pound fish you. You know, and we're four percent mortality, four percent out of ninety. In Massachusetts, fish got to come through those states to get to us. And you got to put a, you know, that's on us, people that like to fish. I just think it's, you know, there's other ways to do it besides that, you know. Thank you.

Just when I was a kid and growing up, stocks were nothing. In the 1980s there were nothing. I mean no fish. Catch and release or whatever it was you could kill, I think thirty-six inch and over. But there was no fish at the time. But we can still use live bait. And we weren't allowed to kill fish. But we will still use the live bait in the Saco River in the Eighties when there was nothing. I mean nothing till schoolies started coming back so. That's all I gotta say about that. We are going to go guys like me and guys like him, girls like her are going to go and grab alewives and we're going to go just past the line. We're going to fish everything out there, just like we're doing if we're at the dam because fish got to go from the ocean to the dam. We're going to do the same thing and you're going to have nothing going to change. Except you're going to put people that really don't know what they're doing in harms way out in the ocean. That's it. Thank you.

Zach Whitener, Received via public hearing March 5, 2025

Thank you. My name is Zach Whitener, and I support the rules as written. That being said, I do recommend, I would support them if they were coastwide for the river restrictions as well as. Suggest the minimum maximum size for those fillets for the sake of enforcement. I hate the idea of somebody poaching and having a twelve-inch fillet and saying oh, I was just on charter.

Ben Walley, Received via public hearing March 5, 2025

Good evening. My name is Captain Ben Walley. I'm a full-time fly-fishing guide in Casco Bay. I appreciate the opportunity to speak tonight. I'm here to express my support for this proposed regulation. I think it's a good no brainer step in the right direction. To help decrease dead discards in the rivers, especially during the herring runs. To be completely honest, I'm a little conflicted. On the one hand, I'm happy that Maine DMR is proposing to go above and beyond what ASMFC is mandating, while at the same time I feel that this proposal could do so much more and it will be so much more beneficial. Maine has long been viewed as the leader in marine conservation. And I applaud management for all of your efforts. In this instance, I think Maine's falling short of living up to that reputation. The State's home to some of the northernmost reaches of our striped bass, and they're vital to our ecosystem and our rec fishing community. We should be setting a gold standard for conservation, which the public is consistently made clear in previous rounds of public comment. So, I urge DMR to continue evaluating additional measures to protect these fish while they're in our waters. Maine has the opportunity to set a precedent that prioritizes the long-term health of this fishery and lead by example. So, I urge you to please take that into consideration as this moves forward. I don't agree with let's wait until we find out what ASMFC determines to be our next step. We're already so far into the ten-year allotted rebuilding plan with zero success with six failed consecutive spawns and the spawning stock biomass consistently under target. So, I think while we may be small and we may not have it overall impact on the grand scale of this fishery. I think, you know, Maine stands for more than you know, just waiting. We should be leading. So I thank you for your time and you considering the voices of those who care deeply about the future of this fishery. Thanks.

Courtney Mcfarkland, Received via public hearing March 5, 2025

Maybe even more of a question than a comment, but why wouldn't we just make this coast wide? Doesn't that eliminate a lot of grey? Kind of like what Peter mentioned, that if you're going out to Biddeford Pool but you're coming back up the river or the mouth of Higgins. I guess I would just be interested from like a management standpoint why we wouldn't just north to south cover the whole coast for two months. Those two rivers are definitely heavy hitters, but I think it would just make more sense to even include the rest of them, I don't think anybody should be left out.

Peter Mourmouras, Saco, Received via public hearing March 5, 2025

OK, my name is Peter Mourmouras. I've local business in Saco and we're constantly challenged with the fishing, mostly recreational, with our customers, staff, and people growing up. So on both series you do have to abide by some laws that are going to be forced down your throat, which I agree on. There's a tough part of making any legislation is to enforce it, and I think DMR is going to have a very difficult time trying to enforce any type of a catch that's made outside the Saco River or anywhere outside of this area, when you have three marinas in the Saco River. You have three boat launches in the Saco River. So, if you're bringing a catch in and you're boarded, I'm not sure how you can prove that you're bringing in mackerel for the next day. You're catching alewives either outside of the river. I just think it's a very difficult thing to educate everybody on and to make it enforceable. The honest fisherman, the guides, and everybody else are the ones going to abide by it and our ongoing problem is uneducated people. Are people that don't care that already know the rules but decide to break them anyways and that's not just in the Saco, that's everywhere. Saco is very visible because you have two main roads, you have a lot of eyes on you, you have people that are killing fish. You do have people that are breaking the law. DMR does their best and they're always on. They know exactly who's doing what. And they have a very difficult time enforcing it because they just lack manpower. But the resources that they do have they're always there when needed. But you're not going to be able to cover every single dockside. You know, using artificial baits a great opportunity to teach people how to safely handle the striped bass. To use the artificial bait is a great opportunity for other people to take up different type of hobby, not make it so difficult and challenging. But once again, it's always good to put somebody who's a novice on the live bait, feeling that they taken off on you and then you have a repeat customer. So, I think that's all we got for enforcement is my biggest concern. Thank you.

I took the shop over in I think 2003. Before that we were fishing in the nineties there was nothing. You wouldn't see a biomass. You wouldn't see blitzes going up and down the river. It picked up again and it died out again in 2003-2004. It's the best time to open up a business, when everything is gone. There was nothing there. About five years later, it rebuilt. It started up again. And that was because of outside resources. More bait started coming in mid-water trawlers started getting dismantled. Fishery picked up along that area. I can't help but think that sometimes there's a cycle in the fishery and sometimes you'll get a blitz of juvenile schoolies, other times you're going to get the thirty pounders that come in one year. I've had people come in the shop saying that they haven't seen a schooling and then another person will come in the next day and said we had a blitz of them coming up and down the river all morning in that one particular tide. Regulation is going to be the hardest part in this situation and I think it's going to be the hardest hit, especially when I do have a business. I sell bait, and that is probably eighty percent of the people that come in to fish down the shorelines. They'll use herring and squid, and every once in a while to pick up an artificial lure. Unless you go with a guide and a guide has particular ways to fish in certain parts of the area. Portland, Kennebunk and some people will fly fish along the banks along the sandy bottoms. Somebody else, another guy will take live bait and fish along the rocks. And there's so many ways to. And I think John, next to me was saying that it's a short time period in that area where the alewives are there and the temperature hits and they're gone. This is kind of a moot point for that one month. So, in fairness, that is probably a good time to try to eliminate the bait fishing but I just think it's going to be the hardest thing to regulate. It happens when you go, you'll go offshore, you'll catch a striped bass in the morning, you'll go offshore haddock fishing, Boy, do you find a haddock eighteen miles offshore a striper. You got a problem. So this is going to be this reversal in this scenario. And I know you

have the laws meant to be biased, but maybe interpret it clearly so it's cut and dried. There's no wiggle room or ways to work around. Thank you.

John Bruenger, Biddeford, Received via public hearing March 5, 2025

My name is John Bruenger. I live down there on the river and I see it all. I live near the dam, so I see it all and you know I'm the type of guy that I'll go with tube and worm or cast a worm on the bottom out front of my house. I haven't seen much mortality. As I'm there all the time, you know I've been there since ninety-six. The mortality, I don't see it. I don't see it. And you know, yes, it's probably a good idea. It's getting to be a real shit show down there and I understand that. Yes, you are trying to save the fishery. But again, Vince says it's four percent, four percent. You guys are going to have your hands full. You know you're going to let the guy fish with the tube and worm, but I can't cast a worm off my dock. You know, I just don't understand that. I catch brook trout brown trout, white perch, bass everything up front of my house. But what if I get an earthworm out there is that technically, that's all earthworms out there for white perch. That's the time to fish is May, June. After that, there's nothing. There's nothing by the dam. You know the second week of June, there's nothing. The water hits a certain temperature, they're gone. I got six weeks to fish out front of my house and I love to fish there. And now I can't even throw a worm on the water. Yes, I'll catch a bait every now and then and toss that out. I just don't agree with the tube and worm guy can troll right by my dock and I can't cast a worm. Understandable? All right.

Ben Whalley, Cumberland, received via email, March 6, 2025

Dear Deirdre & Megan,

My name is Captain Ben Whalley and I am a full-time fly fishing guide for stripers in Casco Bay. I appreciate the opportunity to provide public comment at last night's meeting. I have some additional follow-up thoughts I've included below:

I am here to express my support for the proposed changes to Chapter 42 - Striped Bass, for the upcoming 2025 season. These changes seem like a simple step to help reduce dead discards, particularly abundant in these congested rivers during the herring runs. As we know, striped bass are in a precarious position. The stock remains below sustainable levels, and we've now had six consecutive years of failed spawns.

I must admit that I am conflicted. While I'm happy that Maine DMR is willing to take action and go above ASMFC's directives, I also feel that this proposal falls short of making a truly meaningful impact. Maine has long been a leader in marine conservation, and I applaud your efforts over the years. However, I believe Maine is falling short of that reputation in this instance.

Our striper fishery is in a dire situation. As a full-time striper guide, I am deeply concerned about the future of striped bass and the future of my business. Envisioning a point in the not so distant future when the current SSB drops off and the lack of fish due to failed spawns forces all Mainer's to stop guiding is a real possibility. The only solution as I see it now is to preserve the SSB in our system and hope and pray for successful spawns in the coming years. Striped bass are vital to our ecosystem and our recreational fishing community. Maine Captain's and recreational anglers don't have the luxury of targeting alternate inshore species like charter boats to our south. Maine needs to set the gold standard for conservation of striped bass, as the public clearly expressed during the last round of hearings.

I was disappointed to hear our ASMFC AP representative speak up in both hearings this week, recommending Maine DMR minimize any additional measures, until ASMFC releases the Addendum III reductions when they'll be "forced down our throats". This sentiment goes against the clearly expressed wishes of the Maine recreational angling community. Maine's desire to do what's right for this fishery should not be contingent upon our efforts being credited back to us at a later date. We need to do what's right, period. Maine has the opportunity to set a precedent and lead by example in prioritizing the long-

term health of this fishery. I urge ME DMR to continue evaluating additional measures to protect these fish while in our waters. Striped bass are worth more to Maine alive and thriving than as a diminishing resource we fail to protect.

Thank you for your hard work and for taking the time to consider the voices of those who care deeply about the future of striped bass.

Sincerely,
Capt. Ben

Bob Humphrey, Pownal, Sportman's Alliance of Maine, received via email, March 6, 2025

Ms. Deirdre Gilbert
Maine Department of Marine Resources
21 State House Station
Augusta Maine 04333-0021

On behalf of the Sportsman's Alliance of Maine, I would like to provide comment in favor of The Department of Marine Resources proposed rulemaking regarding Chapter 42: Striped Bass.

Fillet

The proposed exemption for for-hire operators and crew to fillet and dispose of legal striped bass dockside will remove unnecessarily burdensome restrictions, eliminate confusion and provide a clear, concise and logical interpretation regarding the handling of striped bass.

Registered Maine guides with tidewater authorization and USCG-licensed charter captains must go through an intensive vetting and exam process to receive the proper credentials for operating a for-hire vessel. Granting those credentials is implied acknowledgment by the granting agency that the license holder will operate in a safe, legal and ethical manner. Enforcement to ensure compliance with legal size requirements can still be conducted on the water or at the dock.

The current possession requirement applies only to striped bass. All other species can be filleted at the dock, and in some instances, at sea. The proposed change would make regulations more consistent for all species.

Much of the clientele of for-hire operators is vacationing tourists and it would be impractical to send them back to their B&B, rental cottage, VRBO or hotel/motel with a whole fish, where they may not have the means for processing fish and disposing of unusable parts. Allowing anglers to transport only scaled fillets is a more practical option. Anglers should make every reasonable effort to return all inedible or unusable fish parts to the waters from which they were taken.

The proposed regulations require that the racks be retained until anglers have departed the area. This provides a means to determine fish are of legal size, so further regulations on file size are unnecessary.

Seasonal Closure

The ASMFC has determined that Atlantic striped bass stocks are overfished.

If fishing mortality continues at current rates, stocks will not sufficiently recover according to objectives set in Addendum II to Amendment 7 of the striped bass management plan.

The highest source of removals is recreational catch-and-release mortality.

Anyone who has been on the Saco in May and June has seen it: dead or dying fish floating down the river.

Expanding the special hook and release season/area and the waters seasonally closed to the use of bait regulations on striped bass from May 1 to June 30 to the Saco and Presumpscot rivers will reduce mortality of Atlantic striped bass.

This seems a more reasonable approach in comparison to other proposals, which include non-targeting closures in these waters.

Respectfully submitted,
Capt. Bob Humphrey
Vice President, Sportsman's Alliance of Maine
Member, Maine Association of Charterboat Captains
Member, Maine Professional Guides Association
NOAA Fisheries Highly Migratory Species Advisory Panel
ASMFC Striped Bass Advisory Panel
Pownal, ME 04069

Ben Viscander, Lyman, received via email, March 7, 2025

Dear Ms. Gilbert,

I am writing to express my full support for the proposed striped bass regulation change on the Saco and Presumpscot rivers.

I have been fishing the Saco River for striped bass since 2012. Every year in May and June I see dozens of dead striped bass floating in the river and washed up on shore. The section below the dam is especially a problem. There is an extremely high concentration of anglers, bait and stripers stacked into a small area. Lots of fish get mishandled or poorly hooked and it leads to the high catch and release mortality rate we see every year.

Over the last few years, your department has done an exceptional job of looking into this issue, gaining feedback and adapting the rules. I wrote in last June and attended the stakeholder meeting to say that more needed to be done. I'm glad to see that the Kennebec regulations are being considered for this area.

I have also been fishing the Kennebec River in Winslow every year for the last 12 years. It too is a popular spot with a high concentration of anglers, bait and striped bass. The one thing noticeably absent however is the dead striped bass killed by anglers.

I've seen firsthand the difference single hook artificial lures makes on the Kennebec and I know it would have a positive impact for the Saco & Presumpscot too.

Sincerely,
Ben Viscander
Lyman, Maine

Seth Dube, received via email, March 10, 2025

Striped bass is already regulated to death. There's more bass than there has ever been. 40 years ago you couldn't catch a striped bass in the Saco river because pollution now that it's cleaned up the sturgeon and bass have come back better than ever. The state of Maine needs to stop with the regulations. This will hurt Maines economy people come here to fish. LEAVE THINGS ALONE YOUR TURNING OUR STATE INTO MASSACHUSETTS!!!!!!!!!!!!

Matthew Campbell, received via email, March 10, 2025

Dear Maine.gov,

I am a big time fisherman and spend most of my time outdoors. I just saw the comments being made about spring striper fishing in the Saco from May 1st - June 1st. Just last spring I fished the Dam in Saco and had a lot of fun catching stripers and alewife's (river herring). There was no shortage of bait or stripers, I'd like to understand why it is such a big deal. If we are trying to protect the stripers then i guess no keeping of stripers at all would make more sense. I saw only a handful of stripers taken last year in the spring most people release them even if they are legally in the slot. Needless to say I disagree strongly about these laws going into effect.

Sincerely,
Matthew Campbell

John Bergeron, received via email, March 11, 2025

The brief summary of the rule proposal is not specific enough to put into effect as your definition of live bait has too many inconsistencies as to how live bait can be applied. I am 61 years old and all my life I have been fishing for stripers with worms on bottom. Your rule states the live worms can be applied to a surgical tube with a single j hook (not circle) which limits all shore fisherman to seek alternative methods. Not fair to the general public that want to fish from shore I be as productive as a boater. Live alewives is also questionable as that fishery is still open to taking of 25 per day on certain days of the week. Possession & fishing gear can put you in hot water as every vessel out there carries all the means for live bait fishing. I understand that maines mortality rate is at 4%. What about the rest of the east coast. It should be federally implemented. Not just state. By the way I am a professional catch release fisherman and the mortality rate issue lies in your rule change to circle hooks / not live bait. I have not killed a fish in years as I have and carry all means to release fish unharmed. Yes there are several different classes of fisherman out there. Methods vary as to each his own. Simply cutting off the live bait fishing is not the answer. It is and will remain the most productive way to catch fish without a doubt. Appeasing the other small classes of fisherman is unfair to the 85 % of the bait fishermen. Not to mention the effect it will have on all local bait and tackle shops as their revenue depends on people coming to the door for bait and beyond. The state of Maine is already unfairly regulated compared to the other states south of us. I agree conservation is good however is should be implemented on a federal level. The d m r should do more research and review all options.

Alex Tragakes, Biddeford, Received via email March 11, 2025

Hello DMR team,

My name is Alex Tragakes from Biddeford, ME and I would like to submit my comment in full support of the proposed rule changes for the implementation of special hook and release rules and seasonal closure on the use of bait from May through June on the Saco and Presumpscot Rivers. I think that these rules can help to reduce release mortality and show that Maine is willing to take the lead in implementing regulations to protect this fishery.

Thank you,
Alex Tragakes

Jason Blackwell, received via email, March 16, 2025

I am

Against your new proposal to shut down

Bait fishing in the Saco and presumpscot. I fish both these locations and I feel the reason for any fish mortality is from improper catch and release practices over fighting fish using to light gear and or just

throwing the fish off ledges. The people fishing these areas are extremely rough in fish. I think closing the areas down to bait will not solve any problems. I also feel like you guys don't have any data to back up this change if this is such a concern why isn't DMR in these areas more often? I fish the Kennebec quit often with the old single hook reg already in place I still see dead stripers floating down river

Steven Day, Madison, received via email, March 16, 2025

To whom it may concern, this is my public statement regarding the proposed changes in the Striper Regulations in regards to the Saco and Persimpscot Rivers.

This regulation change is unneeded and unwanted by the public that fishes these rivers there is little to no data to support such a drastic change. There is no data that I'm aware of that supports this.

The fact that this proposal is being pushed by some select guides who want to push the average person off the rivers is neither right or needed.

In closing I would ask that this proposal be defeated as there's a lack of actual data suggesting that it needs this proposed regulation. The fishery is healthy in both Rivers with lots of people enjoying it, to do otherwise is inviting a private play ground for a handful of guides trying to steal this resource for themselves.

Thank you,

Steve Day
Madison, Me 04950

Jeff Smith, Gray, received via email, March 16, 2025

To whom it may concern I oppose this proposal.

As a frequent angler to both rivers in question mainly during the herring run when most of this regulation would effect I do not see the need of this restriction of Harvest. Nor do I see catch and release, helping lower mortality. These are my reasons why.

Harvest of legal Striped Bass is very very low in these two Rivers from what I have seen in person fishing most days of the herring run, and mortality has always been a concern but still very low even due to the main cause which on these two rivers is catch and release fishing regardless of method used bait, fly, artificial.

This mortality, although very low is mainly do to poor fish handling, light gear, improper fish revival techniques and plain lack of respect to the fish from a small fraction of the anglers that do fish these rivers. For the proposal I ask where is the data to back up the claims, the need? Where is the creel data for these two rivers? The catch rates, method used, harvest numbers, mortality rates for these two Rivers in question? DMR does not conduct ground based creel data or angler counts or interviews from the recreational anglers fishing these rivers. They do conduct Creel data collection from Landings at ports and get data from log books from a select few fisherman. But, this gives no insight into the actual data of the ground based recreational angler. Which the anglers make up the majority of the anglers of these rivers during the proposed regulation change.

How can you propose regulations with no data to back it up from the rivers in question. The data DMR does have will show Maine as a whole, is a small percent of the total mortality of the stock. Very small, 4 percent and 90 percent of that 4 percent is from delayed mortality do to catch and release.

Why should harvest be closed. Why would making catch and release only help reduce mortality when that is the main cause of mortality.

I think DMR should hire a few seasonal fishery contract workers to conduct the needed creel data on these rivers first. Collect the data, and base a needed proposal off of that, or not propose any new regulations if not needed for those rivers in question.

Thank you for your time.

Jeffrey C Smith

Gray, Maine.

Comment written as a angler, not affiliated with any group, guides, or department.

Luis Tirado, received via email, March 17, 2025

To whom it may concern,

I am in favor of the new proposed rules as they are written. Thank you for the effort put it.

Luis Tirado

Owner/Operator

Diamond Pass Outfitters

Kyle Costigan, received via email, March 17, 2025

I just think instead of a couple watersheds having these regs that target the recreational angler... I think it should be state wide from East port to Elliot. If it la going to effect 1 it should effect all. Thanks. Kyle Costigan.

DMR RESPONSES

DMR response to comments on why the proposed language focused on two rivers as opposed to the full coast: The proposed rule language intended to respond to concerns DMR heard from Maine stakeholders during public meetings in 2024 while being mindful that striped bass regulations may need to change in 2026 depending on possible future actions by the ASMFC. Therefore, DMR was looking at a targeted approach to two river systems which have been noted in previous meetings as having elevated mortality and high fishing effort. However, after considering the mixed support during public comment, the May/June hook and release season and corresponding prohibition on the usage of bait in the Saco and Presumpscot rivers have been removed from the rule language.

DMR response to enforcement and bait concerns: Marine Patrol has been successfully enforcing nearly identical rules in the Kennebec River for over 10 years. Patrol would continue to exercise discretion as it pertains to a vessel transiting these areas with fishing gear and marine bait onboard (coming and going from open areas). In particular, Patrol has not issued violations for boats clearly transiting an area with bait and fishing gear as indicated by the absence of lines in the water. Fishermen would still be able to be in possession of mackerel and herring in the Saco and Presumpscot rivers, as long as bait is not used to actively catch these fish in the rivers. Additionally Marine Patrol officers use many techniques when it comes to enforcement work and are not always visible to the public when on duty.

DMR response to questions on dockside filleting: Striped bass harvested recreationally for personal use cannot be filleted until the fish has reached its destination. Per §6025(3), any marine patrol officer, in uniform, may search watercraft without a warrant and examine any aircraft, conveyance, vehicle, box, bag, locker, trap, crate or other receptacle or container for any marine organism when he has probable cause to believe that any marine organism taken, possessed or transported contrary to law is concealed thereon or therein. Regarding adding a minimum and maximum size for fillets, only one Atlantic coast state includes fillet measurements in rule; all other states rely on the rack measurement for enforcement. Fillet measurements are not necessary since the rack must be retained with fillets until clients leave. Adding fillet measurements to the rule may create enforcement challenges due to varying filleting skills.

DMR response to suggesting one fish limit: It is currently unlawful for any person to take or possess more than one striped bass each day.

DMR response to questions on recreational data sources: There are several sources for recreational data and discard mortality rates. Overall, these data sources provide statewide pictures regarding recreational fishing trends and often do not provide river-specific data that is statistically significant. MRIP is a recreational fishing survey which produces estimates of catch and effort by species, states, and wave. MRIP is not a census of all recreational fishing that occurs; instead it relies on interviewing a subset of anglers to make estimates. MRIP data can tell very useful information, such as what portion of striped bass mortality comes from Maine compared to other Atlantic coast states (small, generally around 4%) and what portion of Maine's mortality comes from harvest vs. release mortality (vast majority from release mortality in Maine). Maine also runs a Volunteer Angler Logbook program in which participants provide more detailed information on their striped bass catch, discards, and fishing gear. While a small subset of Maine anglers participate in this program, the data collected often aligns with trends seen in MRIP data and Maine has used this data to track year classes of striped bass as they move through the fishery. Location of fishing, such as the Saco, is collected via the Volunteer Angler Logbook program so DMR can look at information from specific participants, although it is a small dataset. Specific to release mortality, the Massachusetts Division of Marine Fisheries has been conducting an extensive study on discard mortality of striped bass and what environmental conditions or gear types lead to high or low discard mortality. This is a citizen science study that includes participants from many Atlantic coast states, including Maine. Information from the study suggests that the use of bait leads to a higher discard mortality rate. In contrast, a single hook has one of the lower discard mortality rates compared to other hook configurations. DMR considered this study as a part of this rulemaking. While we considered multiple sources of recreational survey data, DMR cannot predict the exact reduction in mortality from the proposed regulations on the Saco and Presumpscot rivers. This is because we don't have a census of data on who is recreational fishing in those two rivers, what terminal tackle they are using, and if they are using bait. However, we can predict a reduction in mortality from the prohibition on bait, the requirement to use a single hook, and a restriction on harvest.

DMR response to public hearing locations and outreach on proposed rule: DMR held two public hearings for this proposed rulemaking. One public hearing was in Augusta and included a webinar component for stakeholders to join remotely. Another public hearing was held in-person in Yarmouth. While the Yarmouth public hearing was closer to the Presumpscot River, we did have fishery participants from the Saco area attend. In addition, anyone could participate in the webinar public hearing. Notification about the proposed rulemaking was sent to several DMR list-serves including multiple recreational fishing list-serves, a sea-run fishery list-serve, and a list-serve which provides notices about public hearings and regulations. In total, over 43,000 stakeholders were included in these list-serves. In addition, information regarding the proposed rulemaking and hearings was posted on the DMR website and published in major Maine newspapers.

Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON: Deirdre Gilbert,
Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207)
624-6553; web address: <https://www.maine.gov/dmr/rules-enforcement>

CHAPTER NUMBER AND RULE: Chapter 42 Striped Bass

STATUTORY AUTHORITY: 12 MRS 6171

DATE AND PLACE OF PUBLIC HEARING(S): March 3, 2025 at 5:00 pm in DMR's Conference
Room 118, Marquardt Building, 32 Blossom Lane, Augusta ME, and remotely via Microsoft Teams.

March 5, 2025 at 5:00 pm at the Yarmouth Town Hall Community Room, 200 Main St Yarmouth ME

COMMENT DEADLINE: March 17, 2025

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

This rule adds an exemption to allow for-hire operators to fillet legal striped bass dockside provided specific criteria are met.

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)]

An exemption for filleting striped bass by for-hire operations is anticipated to have a positive impact on these small businesses.

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]:

Department considered the 2024 Striped Bass Stock Assessment, Atlantic States Marine Fisheries
Commission Addendum II to Amendment 7 of the Striped Bass Fishery Management Plan, and feedback
from the public (July 2024 and December 2024 public meetings), Department staff, and Maine Marine
Patrol.

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.