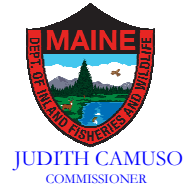




STATE OF MAINE  
DEPARTMENT OF  
INLAND FISHERIES & WILDLIFE  
353 WATER STREET  
41 STATE HOUSE STATION  
AUGUSTA ME 04333-0041



December 1<sup>st</sup>, 2021

Dear Baitfish or Smelt Wholesaler,

Thank you for purchasing a 2022 Baitfish or Smelt Wholesale license. As you know the availability of baitfish and smelt is important to Maine anglers. That is why we need your help to manage and preserve these resources.

In an effort to better manage the baitfish resources of Maine and in accordance with Title 12 Chapters 923, Section 12551-A, all holders of Baitfish or Smelt Wholesale licenses are required to submit an annual report of their harvest activity and catch information to the Department of Inland Fisheries & Wildlife by May 31<sup>st</sup> of each license year. The reporting deadline is consistent for both Baitfish and Smelt Wholesaler license holders. The bait fishing season typically spans two calendar years (often September through May). However, we expect your report to cover any harvests within the reporting period of May 2021 through April 2022, and you must submit a report even if you did not harvest any fish. Failure to submit a report by the deadline will result in the suspension of your privilege to obtain a Baitfish or Smelt Wholesale license for one calendar year. The data you submit is for scientific purposes only and is needed to better manage these resources. It will remain confidential, not public record, though the commissioner may release data that is statistical or general in nature.

There are growing concerns within Maine related to the introduction of invasive fish, freshwater clams and other invertebrates, plants, and fish diseases. Some non-governmental organizations are advocating for additional restrictions on commercial harvest due to a perception that bait harvesting may be spreading invasive organisms. Our state supports incredible native fish and wildlife resources, and invasive species pose a large threat to these resources. It's not at all cliché to suggest that we are all in this fight together and need to do our part. Maine's bait industry has a lot to lose when invasive species are spread, such as restricting the most efficient gears and harvest closures. Moreover, invasives increase your time culling bycatch, and they can compete with native fish to reduce harvests of desirable bait species and reduce recreational fishing demand for the bait. State laws prohibit transport of aquatic plants on your gears, boats, and trailers. It is also illegal to transport and introduce fish without

appropriate permits. To help you comply with the laws and reduce the spread of invasive species, best management practices were developed and are included with this license. You are expected to adhere to these practices as a licensed commercial dealer. Embracing inspections and cleaning practices will not only help you comply with the laws, but also protect the livelihood of the commercial baitfish industry.

Report form(s) and instructions are included in your dealer packet. To ensure that you get credited for reporting:

1. Mail reports to: Jerrod Parker, Maine Dept. Inland Fisheries & Wildlife, 353 Water Street SHS 41 Augusta, ME 04333 **by May 31<sup>st</sup> each year.** You may also email your report to [Jerrod.Parker@maine.gov](mailto:Jerrod.Parker@maine.gov).
2. Include your name, license #, type of license, address, and telephone # on all pages of your report form.
3. Include the name(s) and license number(s) of other dealers/helpers covered by your report or be sure they file their own report (see instructions for more details).
4. Remember to file a report **even if you did not harvest fish or were unable to fish during the current season.**

The Maine Department of Inland Fisheries and Wildlife thanks you for your cooperation and wishes you a safe and successful season. Please call me at (207) 557-0591 if you have any questions or need more information.

Sincerely,



Jerrod Parker

Fisheries Senior Resource Biologist

MAINE DEPARTMENT OF INLAND FISHERIES & WILDLIFE

WATERS WITH SPECIAL RESTRICTIONS UNDER THE BAITFISH WHOLESALERS LICENSE

FOR CALENDAR YEAR 2022

Individuals possessing a valid Baitfish Wholesale License may take baitfish from all inland waters statewide in accordance with MRS: Title 12 and Chapter Rule, EXCEPT the waters listed in the categories below:

- A. Waters closed to baitfish dealers except for the use of minnow traps.
  - B. Waters closed to the taking of baitfish.
- 

A. The following waters are closed to baitfish dealers except for the use of minnow traps:

ANDROSCOGGIN COUNTY

Androscoggin Lake, Leeds, Wayne **\*\* (PORTION OF IN KENNEBEC COUNTY – See attached map)\*\***  
Lake Auburn, tributaries, outlet, Auburn  
Little Androscoggin River, tributaries, outlet, Mechanic Falls

CUMBERLAND COUNTY

Brandy Pond, tributaries, outlet, Naples  
Collins Pond, tributaries, outlet, Windham  
Little Sebago, tributaries, outlet, Windham, Gray  
Long Lake, tributaries, outlet, Bridgton, Harrison, Naples  
Mill Pond, tributaries, outlet, Windham  
Presumpscot River, impoundments, tributaries, outlet, Windham  
Sebago Lake, tributaries, outlet  
Songo River, tributaries, outlet, Naples  
Thompson Lake (including The Heath), tributaries, outlet, Casco, Otisfield, Poland, Oxford **(also Oxford County)**

KENNEBEC COUNTY

Androscoggin Lake, Leeds, Wayne **\*\* (PORTION OF – See attached map)\*\***  
Annabessacook Lake, Monmouth (including the portion of Wilson Stream from 200 feet upstream of the Waugan Road Bridge to Annabessacook Lake, also the use of motorboats is prohibited in this area)  
Basin Pond, Fayette  
Cobbosseecontee Lake, Winthrop **\*\* (EXPANDED: PORTION OF – See attached map)\*\***  
Cobbossee Stream, tributaries, outlet, West Gardiner, Litchfield  
Great Pond, tributaries, outlet, Belgrade, Rome  
Kimball Pond, Vienna, etc.  
Messalonskee Lake, tributaries, outlet, Belgrade, Sidney, Oakland  
Pleasant Pond (Mud Pond), tributaries, outlet, Gardiner, Richmond **(also Sagadahoc County)**

LINCOLN COUNTY

Damariscotta Lake, tributaries, outlet, Whitefield, Jefferson, Nobleboro  
Peters Pond, Waldoboro

OXFORD COUNTY

Bryant Pond, tributaries, outlet, Woodstock  
Cushman Pond, tributaries, outlet, Lovell  
Hogan Pond, tributaries, outlet, Oxford  
Shagg Pond, tributaries, outlet, Woodstock  
Thompson Lake (including The Heath), tributaries, outlet, Oxford, Casco, Otisfield, Poland

PENOBSCOT COUNTY

Little Pushaw Pond, tributaries and outlet, Hudson

Mud Pond (Perch Pond), tributaries and outlet, Old Town  
Pushaw Lake, tributaries and outlet (Pushaw Stream), Old Town, Hudson, Alton  
Penobscot River downstream of the Howland and West Enfield Dams (all towns)

#### SOMERSET COUNTY

Fish Brook, Fairfield  
The Serpentine, Smithfield

#### WASHINGTON COUNTY

Big Lake, Big Lake Twp. **\*\* (PORTION OF – See attached map) \*\***

#### YORK COUNTY

Balch Pond, tributaries, outlet, Newfield  
Legion Pond, tributaries, outlet, Kittery  
Milton Pond, tributaries, Lebanon  
Northeast Pond, tributaries, Lebanon  
Little Ossipee River Flowage (Lake Arrowhead), tributaries, outlet, Waterboro, Limerick, Limington  
Big Ossipee River, tributaries, Hiram, Porter, Parsonsfield, Cornish  
Saco River (and tributaries) from the confluence of Big Ossipee River in Cornish/Hiram/Baldwin to tidewater in Saco/Biddeford.  
Salmon Falls River (and tributaries) from Milton Mills crossing in Acton to Tidewater in South **Berwick**  
Spaulding Pond, tributaries, outlet, Lebanon  
Town House Pond, tributaries, Lebanon  
West Pond, tributaries, outlet, Parsonsfield

#### **B. Waters closed to the taking of baitfish.**

#### AROOSTOOK COUNTY

Allagash River downstream of Allagash Falls to the St. John (all towns)  
Beau Lake, T19 & 20 R11 WELS  
Black Pond, T15 R9 WELS  
Black Pond, Little North and Tributaries, T15 R9 WELS  
Black Pond, Little South and Tributaries and Outlet, T15 R9 WELS  
Black River, Big, including the Shields Branch (all towns)  
Black River, Little (all towns)  
Chapman Pit, Limestone  
Crater Pond and Tributaries, T15 R9 WELS  
Cross Lake, T18 R10 WELS  
Daaquam River, all towns  
Debouille Lake and Tributaries and Outlet, T15 R9 WELS  
Denny Pond and Tributaries and Outlet, T15 R9 WELS  
Duck Pond and Tributaries and Outlet, T15 R9 WELS  
Durepo Lake and Tributaries, Limestone  
Echo Lake and Tributaries, Presque Isle  
Fifth Lake Brook (Fifth Pelletier Brook) and Tributaries, T15 R9 WELS  
Fish River downstream of lower Fish River Falls (Fort Kent) to the St. John River (all towns)  
Galilee Pond and Tributaries and Outlet, T15 R9 WELS  
Gardner Brook and Tributaries, T15 R9 WELS  
Gardner Lake and Tributaries, T15 R9 WELS  
Glazier Lake including the McPherson Ponds, T18 R10 WELS  
Greenlaw Brook Drainage, Limestone  
Green Pond, Limestone  
Hanson Brook Lake, Presque Isle  
Hunnewell Lake, Tributaries and Outlet to Barrier Dam, St. John Plt.  
Island Pond and Tributaries and Outlet, T15 R9 WELS  
Limestone Stream, Limestone  
Malabeam Lake, Limestone  
Nadeau Lake, Fort Fairfield

Pelletier Brook Lake (5<sup>th</sup>) and Tributaries and Outlet, T15 R9 WELS  
Pelletier Brook Lake (6<sup>th</sup>) and Tributaries and Outlet, T15 R9 WELS  
Perch Pond and Tributaries, T15 R9 WELS  
Prestile Stream below the Mars Hill Dam, Mars Hill, Blaine & Bridgewater  
Pushineer Pond and Tributaries and Outlet, T15 R9 WELS  
Red River and Tributaries (including that from Black Pond), T15 R9 WELS  
Rocky Brook and Tributaries, T15 R9 WELS  
St. Francis River (all towns)  
St. John River : Main Stem (all towns)  
St. John River: Northwest Branch (all town)  
Stink Pond and Outlet, T15 R9 WELS  
Silver Lake, T15 R5 WELS  
Upper Pond, T15 R9 WELS  
Violette Brook Lake, Van Buren, Cyr Plt.

#### **CUMBERLAND COUNTY**

Pleasant Lake, Casco, Otisfield

#### **HANCOCK COUNTY**

Burnt Pond, Otis/Dedham (also Clifton, Penobscot County)  
Duck Lake, T4 ND  
Dutton Pond, Amherst  
Halfmile Pond, Amherst  
Halfmile Pond, Aurora  
Harriman Pond, Dedham  
Hatcase Pond, Dedham  
Floods Pond, Otis  
King Pond, Great Pond Plt.  
Little Pond, Franklin  
Little Jellison Hill Pond, Amherst  
Long Pond, Aurora  
Long Pond, T10 SD  
Narraguagus Lake, T16 MD etc.  
Noyce (Norris) Pond, Blue Hill  
Oxhead Pond, Upper, T40 MD  
Rift Pond, Great Pond Plt.  
Salmon Pond, T10 SD  
Saulter Pond, Dedham  
Simmons Pond, Hancock  
Spring Brook Pond, Amherst  
Trout Pond, T40 MD

#### **KENNEBEC COUNTY**

Tyler Pond, Manchester

#### **LINCOLN COUNTY**

Little Pond, Damariscotta  
Wiley Pond, Boothbay

#### **OXFORD COUNTY**

Abbott's Pond, Sumner  
Little Concord Pond, Woodstock  
Broken Bridge Pond, Albany  
C Pond, C Surplus  
Crocker Pond, Albany  
Mosquito Pond, Albany Twp  
Mount Zircon Reservoir, Rumford  
Overset Pond, Greenwood

Round Pond, Albany  
Speck Pond (Big), Norway

**PENOBSCOT COUNTY**

All waters in Baxter State Park  
Hay Pond, T6 R8 WELS  
Atwood Pond, T5 R8 WELS  
Cold Stream Pond, Enfield, Lowell, Lincoln  
Ireland Pond, T7 R8 WELS  
Katahdin Lake, T3 R8 WELS  
Lane Brook Pond, T6 R6 WELS  
Rocky Pond, T3 R8 WELS  
Trout Pond, Grand Falls Twp.

**PISCATAQUIS COUNTY**

All waters in Baxter State Park  
Big Reed Pond, T8 R10 WELS  
Gauntlet Pond and tributaries, TB R10 WELS  
Hale Pond, T2 T10 WELS  
Hurd Pond, T2 R10 WELS  
Little Houston Pond, T6 R9 NWP  
Little Pillsbury Pond, T8 R11 WELS  
Middle Branch Pond, T5 R9 NWP  
Thissell Pond and tributaries and outlet, T5 R11 WELS  
Wadleigh (Big) Pond, T8 R15 WELS

**SOMERSET COUNTY**

Baker Lake, T7 R17  
Baker Branch, St John River, T4, 5, 6, 7, 8 & 9 R17 WELS T6 & 7 R16 WELS  
Embden Pond, Embden  
Fifth St John Pond, T5 & 6, R17 WELS  
Fourth St John Pond, T5 R17 WELS  
Little Southwest Branch St. John River: T8 R19 WELS, T8 R18 WELS, T9 R18 WELS  
St. John River Main Stem (all towns)  
Southwest Branch St. John River: T8 R1 WELS, T8 R18 WELS, T9 R18 WELS, T9 R17 WELS, T10 R 17 WELS  
Trout Pond, and tributaries and outlet, Brighton  
Tucker Stream (Grant Brook) and tributaries, Brighton, Athens, Harmony

**WALDO COUNTY**

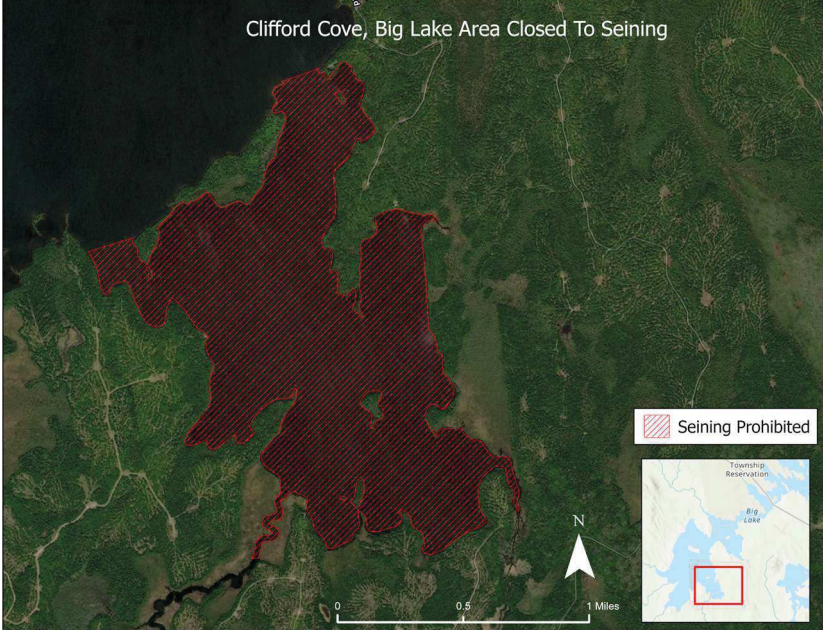
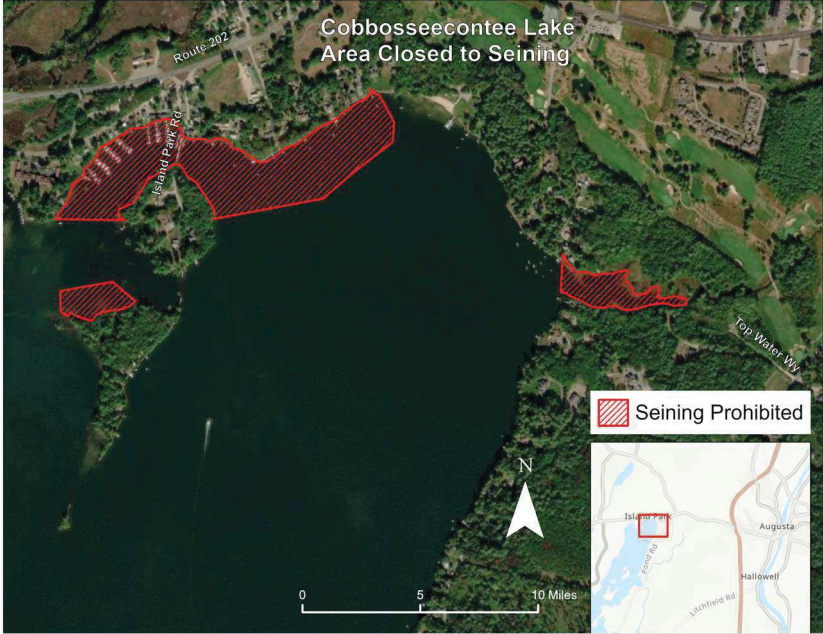
Sheepscot Lake, Palermo

**WASHINGTON COUNTY**

East Monroe Pond, T43 MD  
Flood Lake, Talmadge  
Flood Lake (Upper), Talmadge  
Foster Lake, Marion  
Ledge Pond, Charlotte  
Monroe Lake, T43 MD  
Norse Pond, Cutler  
Peaked Mtn Pond, Northfield, Centerville, T19 MD  
Peep Lake, T30 MD  
Pork Barrel Lake, T6 R1 NBPP  
Tomah Lake, Forest Twp.  
Trout Lake, Kossuth Twp  
West Grand Lake (including Pug Lake), T6 ND NBPP, T6 R1 NBPP, Grand Lake Stream Plt.  
West Monroe Pond, T43 MD

**YORK COUNTY**

Cold Water Brook Impoundment, Kennebunk  
Kennebunk Plains Pond, Kennebunk  
Sand Pond, Limington  
Spicer Pond, Newfield





**Maine Department of Inland Fisheries and Wildlife  
Commercial Smelt / Baitfish Wholesale Dealer Report Log**

**Commercial smelt and baitfish wholesale dealers** are required to report their harvest information to the Maine Department of Inland Fisheries and Wildlife. This information will allow IF&W to better manage smelt and baitfish resources throughout the State. The data submitted by reports are for scientific purposes only and confidential. However, the commissioner may release general summary information. Dealers should report their harvests using the provided reporting forms. Additional forms can be obtained by downloading them from the department website and printing them, requested and mailed by contacting the Department, or photocopied from the originals you received. Reports must be submitted to Jerrod Parker, 284 State Street, Augusta, Maine 04333 by **May 31<sup>st</sup> of each year**, and any person who fails to report **will be prohibited from obtaining a Smelt Wholesale or Baitfish Wholesale license next year**. Remember to file a report **even if you did not fish during the current season**.

**Instructions for Smelt Wholesale and Baitfish Wholesale Report Log**

- Dealers need to report their:
  - **Full name**
  - **License number**
  - **Type of license** (If you hold a bait and smelt license, logs need to be reported separately.)
  - **Home address**
  - **Telephone number**
  - **Email address** (if applicable)
  - **Full name and License number** of other wholesalers that helped and are covered by your report. Ensure the helpers do not submit duplicate harvest information if they plan to submit their own reports.
- If you did not fish during the reporting period, check the “Did not fish this reporting period” box in the upper right of the form.
- Harvest data needs to be reported by fishing event and includes:
  - **Date** – Month/Day/Year of harvest
    - The reporting period runs May 1 – April 30
    - Record data for each date and waterbody. **DO NOT** combine harvests on multiple waters occurring the same day, or multiple harvests on a single water over multiple days.
  - **Water Name** – the name of the water fished.
  - **Town** – Town name where the water fished is located.
  - **County** – County name where the water fished is located.
  - **Gear Type** – the type of gear used on the date and water recorded (i.e. drop-net, dip-net, hook and line, baitfish trap, or seine). Note: The Smelt Wholesale and Baitfish Wholesale licenses differ on the types of gear allowed.
  - **# Of Gears Fished** – if applicable, record the number of nets/traps fished on the date and water recorded. If multiple gear types were used on the same date and water, create separate log entries to record the amount harvest by each gear.
  - **Quantity Harvested** – the total harvested on the date and water specified. Columns are available to report the quantity in pounds, quarts, dozens, or the number of individual fish.
    - Report zero catch days when you fished but no fish were harvested, as this information is also valuable to the department.
  - **Species Harvested** – record all of the species harvested on the date and water specified.
  - **Other Species Observed** – record any observations about other species that were captured and released on the date and water specified (for example: “*bullhead and sunfish*”).



The following sections are from the Maine Revised Statutes: Title 12 and Title 38. They are included here as a courtesy and to provide information on laws pertaining to the dealing of live smelts and baitfish. Note that these are only a subset of all laws contained within MRS: Title 12 and 38.

## **§12551-A. DEALING IN LIVE SMELTS AND BAITFISH**

**1. Definition.** For purposes of this section, "business facility" means a fixed place of business and does not include a motor vehicle or trailer. Live smelts or baitfish that are held in or on a motor vehicle or trailer by a person licensed under this section are considered in transport even if the motor vehicle or trailer may be temporarily placed at a specific location by the licensee, or the licensee's designee, for the purpose of selling live smelts or baitfish to anglers.

**2. License required.** A person may not:

A. Possess for resale, sell or offer to sell live smelts, *Osmerus mordax*, or live baitfish, as defined in section 10001, subsection 6, without an appropriate and valid license issued under subsection 3;

B. Engage in taking or assist in taking live baitfish for resale from inland waters without a valid baitfish wholesaler's license;

C. Engage in taking or assist in taking live smelts for resale from inland waters without a smelt wholesaler's license;

D. Sell live smelts or baitfish from more than one facility without an appropriate and valid license for each facility; or

E. When licensed under this section, receive, possess for resale, sell or offer to sell gift baitfish or gift smelts without an appropriate and valid license issued under subsection 3.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

**2-A. License required.**

**3. Issuance; eligibility.** The commissioner may issue to a resident or nonresident upon payment of the appropriate fee:

A. A live bait retailer's license that permits a person to possess for resale, sell or offer to sell live smelts and baitfish;

B. A baitfish wholesaler's license that permits a person to take and possess for resale, sell or offer to sell live baitfish; and

C. A smelt wholesaler's license that permits a person to take and possess for resale, sell or offer to sell live smelts.

**4. Schedule of fees.** The fees for licenses under this section are:

A. For a live bait retailer's license, \$16;

B. For a baitfish wholesaler's license, \$26; and

C. For a smelt wholesaler's license, \$71.

**5. Live bait retailer's license authorizations and restrictions.** The provisions of this subsection apply to the selling of live smelts and baitfish under a live bait retailer's license.

A. The holder of a live bait retailer's license may:

- (1) Sell live baitfish or smelts acquired from a person licensed under this section to deal in live baitfish or smelts;
- (2) Designate others to assist in selling live smelts and baitfish at the license holder's business facility;
- (3) Transport live smelts and baitfish or designate another to transport live smelts and baitfish on the license holder's behalf; and
- (4) Possess more than the daily bag limit of smelts, provided that the smelts were acquired from a person licensed under this section to deal in live smelts.

B. The holder of a live bait retailer's license:

- (1) May not take or possess for the purposes of retail sale live baitfish or smelts from the inland waters of the State or private ponds;
- (2) Shall present a receipted invoice, bill of lading, bill of sale or other satisfactory evidence of the lawful possession of live baitfish or smelts for retail sale to any agent of the commissioner upon request; or
- (3) May not possess at that person's place of business any species of fish that may not legally be sold as bait.

Each day a person violates this paragraph that person commits a class E crime.

**6. Baitfish wholesaler's license authorizations and restrictions.** The provisions of this subsection apply to the taking and selling of baitfish under the baitfish wholesaler's license.

A. The holder of a baitfish wholesaler's license may:

- (1) Take for the purpose of sale live baitfish from the inland waters of the State or from private ponds;
- (2) Use particles of food for the purpose of luring baitfish to a baitfish trap, a dip net, a drop net, a lift net or a bag net;
- (3) Designate others to assist the holder in selling live baitfish at the holder's business facility; and
- (4) Transport live baitfish or designate another to transport live baitfish on the license holder's behalf.

B. The holder of a baitfish wholesaler's license may not:

- (1) When engaged in taking, or assisting in taking, live baitfish for resale from inland waters, fail to exhibit a baitfish wholesaler's license to any agent of the commissioner upon request;
- (2) Take baitfish other than by use of a seine as defined in section 10001, subsection 55; a baitfish trap as defined in section 10001, subsection 7; a dip net, a drop net, a lift net or a bag net; or by hook and line;
- (3) Attempt to take live bait for resale from the inland waters of the State by fishing through the ice using drop nets unless the holder marks all holes made in the ice by the holder for that purpose. The holes must be marked by suspending at least one strand of fluorescent biodegradable tape at least 3 feet above the ice around the entire perimeter of the hole so that the tape is visible from all sides;
- (4) Take eels;
- (5) Take or sell suckers, Genus *Catostomus*, greater than 10 inches in length between April 1st and September 30th of each year; or
- (6) Possess at that person's place of business any species of fish that may not legally be sold as bait.

Each day a person violates this paragraph that person commits a class E crime.

**7. Smelt wholesaler's license authorizations and restrictions.** The provisions of this subsection apply to the taking and selling of live smelts under the smelt wholesaler's license.

A. The holder of a smelt wholesale dealer's license may:

(1) Take live smelts for resale from inland waters or private ponds. The taking of live smelts from inland waters must be in accordance with general rules adopted by the commissioner in regard to the taking of smelts. Except as provided in paragraph B, the holder of a smelt wholesaler's license shall comply with the same daily bag limit and the same tackle restrictions that apply to all other anglers and is subject to the same penalties for violations of those limits and restrictions. This subparagraph does not apply to a holder of a fish cultivator license as provided under section 12507;

(2) Beginning on the date the body of water on which the smelts are taken is open to ice fishing and ending March 31st annually, use a drop net, a lift net or hook and line to take up to 8 quarts of smelts through man-made openings in the ice while fishing on the ice from specific inland waters designated by the commissioner. A dip net may be used in conjunction with the above methods to assist with the handling and transporting of smelts. A licensee may keep the daily bag limit alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day;

(2-A) In waters naturally free of ice, take smelts from noon to 2:00 a.m. by the use of a dip net in the usual and ordinary way. The commissioner may establish the daily bag limit by rule and a licensee may keep the daily bag limit of smelts alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day. The commissioner may shorten the noon to 2:00 a.m. smelt fishing time frame by rule for enforcement or conservation purposes;

(3) Use artificial light for the purpose of luring smelts to a drop net or a lift net;

(4) Transport or possess at the holder's business facility more than the daily bag limit of smelts provided that the smelts were taken by the license holder in accordance with this section or acquired from a person licensed under this section to deal in live smelts;

(5) Designate others to assist in selling live smelts at the holder's business facility; and

(6) Transport or designate others to transport on the license holder's behalf live smelts in accordance with this subsection.

B. The holder of a smelt wholesale dealer's license may not:

(1) When engaged in taking, or assisting in taking, live smelts for resale from inland waters, fail to exhibit the license to any agent of the commissioner upon request;

(2) Take multiple bag limits from waters governed by general rules regulating the taking of smelts in order to attain the 8-quart limit of smelts described in paragraph A, subparagraph (2);

(3) Use a seine to take smelts;

(4) Transport or possess at the holder's business facility more than the daily bag limit of smelts at any time unless the smelts were acquired in accordance with paragraph A, subparagraph (4). If the smelts were purchased from another person, the license holder must present a receipted invoice, bill of lading or bill of sale to any agent of the commissioner upon request;

(5) Transport from an inland water source to the licensee's place of business more than 8 quarts of live smelts;

(6) Permit any person to transport live smelts on the license holder's behalf directly from an inland water source;

(7) Attempt to take from the inland waters of the State live smelts for resale using drop nets through the ice unless the license holder marks all holes made in the ice by that license holder for that purpose. The holes must be marked either by evergreen boughs placed around the hole or by suspending at least one strand of fluorescent biodegradable tape at least 3 feet above the ice around the entire perimeter of the hole so that the tape is visible from all sides;

(8) Take smelts unless the holder uses an operable commercially manufactured number 14 fish grader to sort smelts by size during the taking of smelts. The holder shall liberate immediately all undersized smelts alive into the waters from which they were taken. For the purpose of this subparagraph, a commercially manufactured number 14 grader is a grader having a minimum grate size of 14/64 inches and that allows smelts to pass through at least 2 sides and the bottom of the grader. The commissioner may adopt rules to amend the grate size restrictions under this subparagraph if the commissioner determines such rules are necessary for conservation or enforcement purposes;

(9) Possess at that person's place of business any species of fish that may not legally be sold as bait;

(10) Use particles of food or any other type of bait or lure except light to lure smelts to a drop net or a lift net; or

(11) Use a dip net to take smelts unless that dip net meets the requirements under section 10001, subsection 12-A.

Each day a person violates this paragraph that person commits a Class E crime.

For purposes of this subsection, live smelts are considered in possession of the licensee once the smelts have been removed from the inland waters and placed in a container.

**8. Effect of revoked or suspended license.** A person whose license to deal in live smelts and baitfish has been revoked or suspended pursuant to section 10902 may not assist another dealer in selling or transporting live smelts and baitfish.

A person who violates this subsection commits a class E crime.

**9. Inspection of live smelts and baitfish.** A person licensed under this section who possesses live smelts or baitfish at a fixed place of business shall make those fish available for inspection by a warden or a department fisheries biologist during normal business hours. A person licensed under this section who possesses live smelts or baitfish at a location other than the licensee's fixed place of business shall make those fish available for inspection by a warden or a department fisheries biologist at any time, upon request.

**9-A. Record inspection.** Records retained as required in this section must be open for inspection by the commissioner or the commissioner's agent.

**10. Reports required.** A person licensed under this section must submit a report on forms provided by the department with the following information: name and location, including the town and county of waters fished; date fished; total catch; gear type; and number of nets used. The report must be submitted by May 31st of each year. A person who has not submitted this report may be prohibited from obtaining a license under this section. A person who is prohibited from obtaining a license under this section may submit an appeal to the commissioner.

All data submitted as part of the report are for scientific purposes only and are confidential and not a public record within the meaning of Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data collected under this subsection if that data are released in a form that is statistical or general in nature.

## [§419-C. Prevention of the spread of invasive aquatic plants](#)

**1. Prohibition.** A person may not:

A. Transport any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, on the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road;

B. Possess, import, cultivate, transport or distribute any invasive aquatic plant or parts of any invasive aquatic plant, including roots, rhizomes, stems, leaves or seeds, in a manner that could cause the plant to get into any state waters;

C. After September 1, 2000, sell or offer for sale in this State any invasive aquatic plant; or

D. Fail to remove any aquatic plant or parts of any aquatic plant, including roots, rhizomes, stems, leaves or seeds, from the outside of a vehicle, boat, personal watercraft, boat trailer or other equipment on a public road.

**2. Penalty.** A person who violates this section commits a civil violation for which a forfeiture not to exceed \$500 may be adjudged for the first violation and a forfeiture not to exceed \$2,500 may be adjudged for a subsequent violation.

## Maine Dept. of Inland Fisheries and Wildlife (MDIFW)

### General procedures to minimize the spread of aquatic plants, animals, and pathogens

Since the introduction and spread of certain aquatic animals and plants to our inland waters has the potential to do great harm, **it is illegal** to knowingly transfer them from one body of water to the next. These guidelines are designed to minimize the potential spread of aquatic plants, animals, and pathogens by those individuals that work on the inland waters of our state.

Personnel working with aquatic organisms in state waters should maintain a high standard of biosecurity. Biosecurity is defined as, “practical steps that can be taken to minimize the spread of unwanted organisms.” Preventing the spread of aquatic invasive species and diseases of aquatic animals amongst state waters is a directive of the highest priority.

- Brush and use water at the loading/unloading site of the water body to rinse soil, biofilms, egg masses, and other biota before removing gear and equipment for transport. Cleaner equipment is more effectively disinfected.
- Always visually inspect and remove by hand all plants and organisms from gear and equipment before leaving the work site.
- Gear and equipment must be disinfected before transporting to the next water. The disinfection area should be established away from surface waters of the state and other environmentally sensitive areas that could be harmed by disinfection work. Ideally the disinfection area should be of excellent drainage or percolation at a location in which a garden hose is accessible.

#### **Disinfection of gear and Equipment**

- Vehicles, ATV's, snowmobiles - Trucks, ATV's, and snowmobiles should be washed at car wash facilities. Washing frequency should be reasonably periodic.
- Boats, trailers - Remove drain plug and drain bilge water from boats at loading/unloading site of the water body. Boats and trailers can be washed at car wash facilities. Washing frequency should be reasonably periodic.
- Personal equipment and gear – Gear and Equipment should be sprayed with a hose to remove soil and organics prior to disinfection. Disinfection for most equipment is best accomplished with submersion in a solution of household bleach and water at a concentration of 1 oz. bleach/ gallon of water in a large trash can. Non-water absorbing gear and equipment can be sprayed with disinfectant to thoroughly soak all surfaces. Use of equipment that comes in constant contact with waters of the state, such as waders, dip nets, seines, gloves, etc., should be allowed to set in solution for 10 minutes before rinsing. Chlorinated water should be neutralized with sodium thiosulfate prior to disposal. Disinfection water should never be dumped into waters of the state. ***Personal protection gear such as gloves and eye protection should always be worn and equipment manufacturer information for proper cleaning method should be consulted.*** Virkon per manufacturer directions or rubbing alcohol can be substituted where appropriate.
- Water absorbing equipment and gear made with porous materials- To be effective, disinfection should be by submersion with a disinfectant as described above or as an alternative, nets can be soaked in a salt brine (3%) overnight to destroy freshwater aquatic organisms. When possible, nets are to be cleaned, brined, rinsed, and dried in sunlight between uses.

#### **Reporting Requirements**

Aquatic animals - Identification of invasive aquatic species should be reported to MDIFW. Contact: Francis Brautigam (207) 287-5263.

Aquatic plants - Unknown species or plants known to be aquatic nuisance species should not be transported unless placed in a sealed container. Small specimens may be transported to the Maine Dept. of Environmental Protection for species identification. Contact: John McPhedran (207) 287-2813.