

# Notice of Agency Rule-making Proposal

MAPA-3 revised 2-2016

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 26 Sea Urchin Regulations and 2016-2017 Harvesting Season

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

## BRIEF SUMMARY:

This regulation would establish season limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 during the 2016-2017 season.

For Zone 1, a 15-day season is proposed for divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as in the 2015-2016 season. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers may fish 15 days in September (“early season”), or 15 days in December (“late season”); and draggers in December (“early season”), or February and March (“late season”).

For Zone 2, a 38-day season is proposed for divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as in the 2015-2016 season. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers may fish 38 days in September through December (“early season”), or 38 days in December through March (“late season”); and draggers would have 38 days in October through March (“early season”) or November through March (“late season”).

For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 9-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as the season in 2015-2016. Zone 2 divers, rakers and trappers may fish 9 days in November and December (“early season”), or 9 days in January, February and March (“late season”); both early and late season Zone 2 draggers would have 9 days in December, February and March. The Sea Urchin Zone Council recommended the selection of these particular days.

This regulation would also change the date by which a Zone 2 harvester must designate the early or late season, from September 15 to August 15, if the harvester wishes to change his/her designation.

Date, time and location of PUBLIC HEARING (*if any*): 5/24/2016 6:00 PM, DMR Conference Room, Marquardt Building, 32 Blossom Lane, Augusta; 5/25/2016 6:00 PM, Ellsworth City Hall (Council Chambers), One City Hall Plaza, Ellsworth

COMMENT DEADLINE: 6/4/2016

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

AGENCY CONTACT PERSON: Trisha Cheney (tel: 207-624-6554)  
Mail Written Comments to: Department of Marine Resources, attn Rulemaking  
ADDRESS: 21 State House Station, Augusta, ME 04333-0021  
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TTY: (207) 624-6500 (Deaf/Hard of Hearing)

Hearing facilities: If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

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

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

STATUTORY AUTHORITY FOR THIS RULE: 12 M.R.S. § 6749

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

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

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [DMR.rulemaking@maine.gov](mailto:DMR.rulemaking@maine.gov)

DEPARTMENT OF MARINE RESOURCES

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season ~~2015-2016~~ 2016-2017 pursuant to 12 M.R.S. §6749

1. Zone 1 [as defined by 12 M.R.S. §6749-N(1)]

A. Early season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open ~~September 1, 2, 3, 8, 9, 10, 14, 15, 17, 18, 22, 23, 24, 28, and 29, 2015~~ 1, 2, 3, 7, 8, 9, 12, 13, 14, 19, 20, 21, 26, 27, and 28, 2016.

B. Late season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open ~~2, 3, 4, 7, 8, 10, 11, 14, 15, 17, 18, 21, 22, 29, and 30, 2015~~ December 1, 2, 5, 6, 8, 9, 12, 13, 15, 16, 19, 20, 22, 27, and 28, 2016.

C. Early season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the early season on forms provided by the Commissioner, is open ~~December 14, 15, 16, 21, 22, 23, 28, 29, 30, 2015, and January 4, 5, 6, 11, 12, and 13, 2016~~ 1, 2, 5, 6, 8, 9, 12, 13, 15, 16, 19, 20, 22, 27, and 28, 2016.

D. Late season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the late season on forms provided by the Commissioner, is open ~~February 8, 9, 15, 16, 22, 23, and 29, and March 1, 3, 7, 8, 10, 14, 15, and 17, 2016~~ Thursdays, Fridays, and Saturdays in February 2017, except February 25 is closed, and open March 2, 3, 9, and 10, 2017.

E. Designation of Zone 1 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 1 may not harvest sea urchins in Zone 1 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.
- (2) Divers, trappers and rakers who have certified the early or late season may, between May 1<sup>st</sup> and August 15<sup>th</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.
- (3) Draggers who have certified the early or late season may, between May 1<sup>st</sup> and November 15<sup>th</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

2. Zone 2 [as defined by 12 M.R.S. §6749-N(2)]

A. Early season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open ~~Mondays, Tuesdays, and Wednesdays in October, 2015, plus October 4 and 2, and Mondays and Tuesdays in November and December 2015, except November 30 is closed, plus November 4 and 18 and December 2, 3, 16, 17, and 23 are open~~ September 15, 16, 22, 23, and 29, Mondays, Tuesdays, and Wednesdays in October, Mondays and Tuesdays in November plus November 2 and 30, and December 6, 7, 8, 13, 14, 20, 21, 22, and 23, 2016.

B. Early season for draggers

The Zone 2 season for draggers who have certified the early season on forms provided by the Commissioner, is open ~~Wednesdays and Thursdays in October, November, and December 2015, except November 26 and December 24 are closed, plus October 2 and 6, November 27, 2015, and February 16, 17, 18, and 25, and March 2, 3, 9, 10, 16, and 17, 2016 are open~~ Mondays and Tuesdays in October and November 2016 plus October 1, 12, and 19 and November 2, Thursdays and Fridays in December 2016, February 15, 16, 22, and 23, 2017, and March 1 and 2, 2017.

C. Late season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open ~~December 7, 8, 9, 14, 15, 16, 17, 21, 22, 23, 28, and 29, 2015, Mondays, Tuesdays, and Wednesdays in January 2016 except January 13 is closed, plus February 1, 2, 8, 9, 22, 23, and 29, and March 1, 2, 7, 8, 9, 14, 15, and 16, 2016 are open~~ 12, 13, 14, 19, 20, 21, 26, 27, and 28, 2016, and Mondays and Tuesdays in January and February 2017, plus January 4 and 11 and February 1 and 22, and March 1, 6, 7, 8, 13, 14, and 15, 2017.

D. Late season for draggers

The Zone 2 season for draggers who have certified the late season on forms provided by the Commissioner, is open ~~December 7, 8, 9, 14, 15, 16, 17, 21, 22, 23, 28, and 29, 2015, Mondays, Tuesdays, and Wednesdays in January 2016 except January 13 is closed, plus February 1, 2, 8, 9, 22, 23, and 29, and March 1, 2, 7, 8, 9, 14, 15, 16, 2016 are open~~ November 21, 22, 28, and 29, and December 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, and 30, 2016, and Thursdays and Fridays in January 2017 plus January 4 and 11, Wednesdays and Thursdays in February 2017, and March 2, 3, 9, and 10, 2017.

E. Designation of Zone 2 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 2 may not harvest sea urchins in Zone 2 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.
- (2) A person who has certified the early or late season may, between May 1<sup>st</sup> and ~~September 15<sup>th</sup>~~ August 15<sup>th</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

26.19 Limited Access Areas:

Transiting exception:

Any vessel possessing urchins onboard, may transit the Limited Access Area, only if the vessel has all fishing gear (dredges, drags, regulators, buoyancy compensators, fins, tanks, weight belts) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at the block or on the winch for draggers, while regulators, buoyancy compensators and tanks should be disconnected with fins and weight belts removed for divers.

(1) Whiting and Denny's Bay Area:

A. Early season for divers, trappers and rakers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by divers, trappers, and rakers who have certified the early season on forms provided by the Commissioner, on ~~Mondays~~ Tuesdays in November and December, ~~2015~~ 2016, except ~~November 30, 2015 is closed and December 15, 2015~~ November 28, 2016 is open and December 27, 2016 is closed.

B. Early season for draggers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by draggers who have certified the early season on forms provided by the Commissioner, on ~~December 2, 3, 9, 10, 16, and 17, 2015, and March 2, 9, and 16, 2016~~ December 1, 8, 15, 22 and 29, 2016, February 16 and 23, 2017 and March 1 and 2, 2017.

C. Late season for divers, trappers and rakers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by divers, trappers and rakers who have certified the ~~early~~ late season on forms provided by the Commissioner on ~~December 7, 14, 15, 21, 22, and 28, 2015 and March 1, 8, and 15, 2016~~ Mondays in January, February and March, 2017, except March 13, 20 and 27, 2017 are closed.

D. Late season for draggers

It shall be unlawful to fish for, take, or possess urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting and Denny's Bay except by draggers who have certified the late season on forms provided by the Commissioner, on ~~December 8, 9, 16, 17, 23, and 29, 2015, and March 2, 9, and 16, 2016~~ December 8, 15, 22 and 29, 2016, February 9, 16 and 23, 2017 and March 2 and 3, 2017.

Strike this Zone 1 Calendar page:

## 2015 - 2016 Sea Urchin Season for Maine Zone 1

= Open

= Closed

Early Season for Divers, Rakers and Trappers

September 2015						
S	M	Tu	W	Th	F	S
		1 O	2 O	3 O	4	5
6	7	8 O	9 O	10 O	11	12
13	14 O	15 O	16	17 O	18 O	19
20	21	22 O	23 O	24 O	25	26
27	28 O	29 O	30			

Late Season for Divers, Rakers and Trappers

December 2015						
S	M	Tu	W	Th	F	S
		1	2 O	3 O	4 O	5
6	7 O	8 O	9	10 O	11 O	12
13	14 O	15 O	16	17 O	18 O	19
20	21 O	22 O	23	24	25	26
27	28	29 O	30 O	31		

Early Season for Draggers

December 2015						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 O	15 O	16 O	17	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

January 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Late Season for Draggers

February 2016						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8 O	9 O	10	11	12	13
14	15 O	16 O	17	18	19	20
21	22 O	23 O	24	25	26	27
28	29 O					

March 2016						
S	M	Tu	W	Th	F	S
		1	2	3 O	4	5
6	7 O	8 O	9	10 O	11	12
13	14 O	15 O	16	17 O	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Strike this Zone 2 Calendar page:

# 2015 - 2016 Sea Urchin Season for Maine Zone 2

= Open       = Closed

## Early Season for Divers, Rakers and Trappers

October 2015							November 2015							December 2015						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5
				O	O		O	O	O							O	O			
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12
	O	O	O				O	O						O	O	O				
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19
	O	O	O				O	O	O					O	O	O	O	O		
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26
	O	O	O				O	O					O	O	O	O				
25	26	27	28	29	30	31	29	30					27	28	29	30	31			
	O	O	O				O						O	O						

## Late Season for Divers, Rakers and Trappers

December 2015							January 2016							February 2016							March 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2		1	2	3	4	5	6			1	2	3	4	5
		O	O									O	O		O	O							O	O			
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12
	O	O	O				O	O	O					O	O	O					O	O	O	O			
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19
	O	O	O				O	O	O					O	O						O	O	O	O			
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26
	O	O	O				O	O	O					O	O	O					O	O	O	O			
27	28	29	30	31			24	25	26	27	28	29	30	28	29						27	28	29	30	31		
	O	O	O				O	O	O	O				O							O	O					
							31																				

## Early Season for Draggers

October 2015							November 2015							December 2015							February 2016							March 2016									
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S			
				O	O							1	2	3	4	5			1	2	3	4	5			1	2	3	4	5			1	2	3	4	5
		O	O									O	O		O	O							O	O						O	O						
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	7	8	9	10	11	12	13	6	7	8	9	10	11	12			
	O	O	O				O	O	O					O	O	O					O	O	O	O				O	O	O	O						
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	14	15	16	17	18	19	20	13	14	15	16	17	18	19			
	O	O	O				O	O	O					O	O	O					O	O	O	O				O	O	O	O						
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	21	22	23	24	25	26	27	20	21	22	23	24	25	26			
	O	O	O				O	O	O	O				O	O	O	O				O	O	O	O	O			O	O	O	O						
25	26	27	28	29	30	31	29	30					27	28	29	30	31			28	29						27	28	29	30	31						
	O	O	O				O						O	O					O							O	O										

## Late Season for Draggers

December 2015							January 2016							February 2016							March 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2		1	2	3	4	5	6			1	2	3	4	5
		O	O									O	O		O	O							O	O			
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12
	O	O	O				O	O	O					O	O	O					O	O	O	O			
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19
	O	O	O				O	O	O					O	O						O	O	O	O			
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26
	O	O	O				O	O	O					O	O	O					O	O	O	O			
27	28	29	30	31			24	25	26	27	28	29	30	28	29						27	28	29	30	31		
	O	O	O				O	O	O	O				O							O	O					
							31																				

**Strike this Zone 2 Whiting & Denny's Bay Limited Access Area Calendar page:  
Proposed 2015 - 2016 Sea Urchin Season for Maine Zone 2  
Whiting and Denny's Bay Limited Access Area**

**○ = Open      □ = Closed**

**Early Season for Divers, Rakers and Trappers**

October 2015							November 2015							December 2015						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26
25	26	27	28	29	30	31	29	30						27	28	29	30	31		

**Late Season for Divers, Rakers and Trappers**

December 2015							January 2016							February 2016							March 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2		1	2	3	4	5	6			1	2	3	4	5
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26
27	28	29	30	31			24	25	26	27	28	29	30	28	29						27	28	29	30	31		
							31																				

**Early Season for Dragger**

October 2015							November 2015							December 2015							February 2016							March 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5		1	2	3	4	5	6			1	2	3	4	5
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	7	8	9	10	11	12	13	6	7	8	9	10	11	12
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	14	15	16	17	18	19	20	13	14	15	16	17	18	19
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	21	22	23	24	25	26	27	20	21	22	23	24	25	26
25	26	27	28	29	30	31	29	30						27	28	29	30	31			28	29						27	28	29	30	31		

**Late Season for Dragger**

December 2015							January 2016							February 2016							March 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5						1	2		1	2	3	4	5	6			1	2	3	4	5
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26
27	28	29	30	31			24	25	26	27	28	29	30	28	29						27	28	29	30	31		
							31																				

Insert this Zone 1 calendar as if underlined (at the end of Ch. 26):

## 2016-2017 Sea Urchin Season for Maine Zone 1

= Open

= Closed

### Early Season for Divers, Rakers and Trappers

September 2016						
S	M	Tu	W	Th	F	S
				1	2	3
				O	O	O
4	5	6	7	8	9	10
			O	O	O	
11	12	13	14	15	16	17
	O	O	O			
18	19	20	21	22	23	24
	O	O	O			
25	26	27	28	29	30	
	O	O	O			

### Late Season for Divers, Rakers and Trappers

December 2016						
S	M	Tu	W	Th	F	S
				1	2	3
				O	O	
4	5	6	7	8	9	10
	O	O		O	O	
11	12	13	14	15	16	17
	O	O		O	O	
18	19	20	21	22	23	24
	O	O		O		
25	26	27	28	29	30	31
		O	O			

### Early Season for Draggers

December 2016						
S	M	Tu	W	Th	F	S
				1	2	3
				O	O	
4	5	6	7	8	9	10
	O	O		O	O	
11	12	13	14	15	16	17
	O	O		O	O	
18	19	20	21	22	23	24
	O	O		O		
25	26	27	28	29	30	31
		O	O			

### Late Season for Draggers

February 2017						
S	M	Tu	W	Th	F	S
			1	2	3	4
				O	O	O
5	6	7	8	9	10	11
				O	O	O
12	13	14	15	16	17	18
				O	O	O
19	20	21	22	23	24	25
				O	O	
26	27	28				

March 2017						
S	M	Tu	W	Th	F	S
			1	2	3	4
				O	O	
5	6	7	8	9	10	11
				O	O	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	



**Insert this Zone 2 calendar as if underlined (at the end of Ch. 26):**

**2016-2017 Sea Urchin Season for Maine Zone 2**

**O** = Open      **□** = Closed

**Early Season for Divers, Rakers and Trappers**

September 2016							October 2016							November 2016							December 2016							
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	
				1	2	3			3	4	5	6	7	8			1	2	3	4	5			6	7	8	9	10
4	5	6	7	8	9	10	9	10	11	12	13	14	15	6	7	8	9	10	11	12	4	5	6	7	8	9	10	
11	12	13	14	15	16	17	16	17	18	19	20	21	22	13	14	15	16	17	18	19	11	12	13	14	15	16	17	
18	19	20	21	22	23	24	23	24	25	26	27	28	29	20	21	22	23	24	25	26	18	19	20	21	22	23	24	
25	26	27	28	29	30		30	31						27	28	29	30				25	26	27	28	29	30	31	

**Late Season for Divers, Rakers and Trappers**

December 2016							January 2017							February 2017							March 2017						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
							1	2	3	4	5	6	7			1	2	3	4								
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
25	26	27	28	29	30	31	29	30	31					26	27	28					26	27	28	29	30	31	

**Early Season for Dragers**

October 2016							November 2016							December 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
						1			1	2	3	4	5			1	2	3		
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
30	31																			

  

January 2017							February 2017							March 2017						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4			1	2	3	4		
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	

**Late Season for Dragers**

November 2016							December 2016						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
		1	2	3	4	5			1	2	3		
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

  

January 2017							February 2017							March 2017						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4			1	2	3	4		
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	

**Insert this Zone 2 Whiting & Denny's Bay Limited Access Area Calendar calendar as if underlined (at the end of Ch. 26):**

**2016-2017 Sea Urchin Season for Maine Zone 2  
for Whiting & Denny's Bays**

**○ = Open      □ = Closed**

**Early Season for Divers, Rakers and Trappers**

**September 2016**

S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

**October 2016**

S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**November 2016**

S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

**December 2016**

S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**Late Season for Divers, Rakers and Trappers**

**December 2016**

S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**January 2017**

S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

**February 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

**March 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**Early Season for Draggers**

**December 2016**

S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**February 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

**March 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**Late Season for Draggers**

**December 2016**

S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**February 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

**March 2017**

S	M	Tu	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

# Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Trisha Cheney, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6554;  
web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: Chapter 26

STATUTORY AUTHORITY: 12 M.R.S. §§ 6749

DATE AND PLACE OF PUBLIC HEARING(S): 5/24/2016 6:00 PM, DMR Conference Room, Marquardt Building, 32 Blossom Lane, Augusta; 5/25/2016 6:00 PM, Ellsworth City Hall (Council Chambers), One City Hall Plaza, Ellsworth

COMMENT DEADLINE: 6/4/2016

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

This regulation would establish season limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 during the 2016-2017 season.

For Zone 1, a 15-day season is proposed for divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as in the 2015-2016 season. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers may fish 15 days in September (“early season”), or 15 days in December (“late season”); and draggers in December (“early season”), or February and March (“late season”).

For Zone 2, a 38-day season is proposed for divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as in the 2015-2016 season. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers may fish 38 days in September through December (“early season”), or 38 days in December through March (“late season”); and draggers would have 38 days in October through March (“early season”) or November through March (“late season”).

For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 9-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as the season in 2015-2016. Zone 2 divers, rakers and trappers may fish 9 days in November and December (“early season”), or 9 days in January, February and March (“late season”); both early and late season Zone 2 draggers would have 9 days in December, February and March. The Sea Urchin Zone Council recommended the selection of these particular days.

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

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

This proposed rule seeks to conserve the sea urchin resource for utilization in the future; if it is successful in doing so it will have a positive impact on small business (sea urchin harvesters) in the long term. The Department worked with the Sea Urchin Zone Council to develop this combination of proposed rule changes

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]

This regulation would establish season limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 during the 2016-2017 season.

For Zone 1, a 15-day season is proposed for divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as in the 2015-2016 season. The Sea Urchin Zone Council recommended the selection of these particular days. Divers, rakers and trappers may fish 15 days in September (“early season”), or 15 days in December (“late season”); and draggers in December (“early season”), or February and March (“late season”).

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For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 9-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2016-2017, which is the same number of days as the season in 2015-2016. Zone 2 divers, rakers and trappers may fish 9 days in November and December (“early season”), or 9 days in January, February and March (“late season”); both early and late season Zone 2 draggers would have 9 days in December, February and March. The Sea Urchin Zone Council recommended the selection of these particular days.

This regulation would also change the date by which a Zone 2 harvester must designate the early or late season, from September 15 to August 15, if the harvester wishes to change his/her designation.

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.