

NOTICE OF AGENCY RULE-MAKING ADOPTION

AGENCY: Department of Marine Resource

CHAPTER NUMBER AND TITLE: Chapter 34 Groundfish

CONCISE SUMMARY:

This regulation aligns expected halibut catch in Maine's territorial waters with the state waters sub-component established in the New England Fishery Management Council's Framework 69 to the Northeast Multispecies Fishery Management Plan. This regulation prohibits fishing for Atlantic halibut in Maine's territorial waters on Wednesdays and Thursdays during the Maine halibut season. It also reduces the number of allowable hooks for commercial vessels from 250 to 200 hooks and clarifies that individuals fishing for halibut recreationally are limited to 100 hooks both per person and per vessel.

ADOPTED RULE NUMBER:

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

EFFECTIVE DATE:

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

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34.07 Atlantic Halibut (*Hippoglossus hippoglossus*)

A. Season for Maine's Territorial Waters

1. The open season to fish for Atlantic Halibut in Maine's territorial waters shall begin at sunrise May 18th and end at sunset June 13th.
2. Within Maine's territorial waters, it shall be unlawful to fish for Atlantic halibut on Wednesdays and Thursdays. It shall be unlawful to land Atlantic halibut within the State on Wednesdays and Thursdays, except that Federal Northeast multispecies permit holders or recreational fishermen may land Atlantic halibut on Wednesdays and Thursdays provided those halibut are caught in federal waters and are immediately tagged with the appropriate federal commercial landing tag or recreational landing tag.

B. License Requirements

1. Commercial halibut fishermen must obtain a Commercial Halibut License. Commercial Halibut License holders must declare the vessel at the time of license issuance or renewal, to which that license holder's tags will be allocated. The license holder may only fish for halibut from the vessel that was declared at the time of license issuance or renewal and to which that license holders' tags were allocated.
2. Recreational fishermen are not required to obtain a Commercial Halibut License to fish for Atlantic Halibut but must declare a vessel for which their recreational landings tags will be assigned.

C. Size Limit

1. It shall be illegal to land, sell, or possess any Atlantic Halibut which measures less than 41 inches in total length or for a fish with the head removed, 32 inches in pectoral length. Except for removing the fish's head, Atlantic Halibut must remain intact until reaching the point of sale at a dealer facility or at the consumer's property.

Exception: Federally permitted Charter or Party Boats taking passengers for hire may fillet legal size halibut at sea under the following conditions:

- a. Fillets must come from a legal sized Atlantic Halibut;
 - b. Fillets must remain whole with skin left on;
 - c. Atlantic Halibut carcasses must be tagged and retained until the boat has been landed;
 - d. Fillets must match with the Atlantic Halibut carcass.
2. Atlantic Halibut caught at sea which measure less than the minimum legal size, may be tagged with DMR issued research tags and then immediately released.

3. Atlantic Halibut raised by means of aquaculture shall be exempted from the size limit if accompanied by proper documentation identifying the origin of the fish and verification that the fish are an aquaculture product.

D. Prohibitions

1. It shall be illegal to possess or land marine species other than Atlantic Halibut while fishing for Atlantic Halibut aboard commercial vessels in Maine's territorial waters. Other marine species caught while fishing for Atlantic Halibut shall be immediately liberated.
2. It shall be unlawful to transfer Atlantic Halibut between vessels.
3. It shall be illegal to fish for Atlantic Halibut in Maine's territorial waters by any method other than using size 14/0, 15/0 or 16/0 circle hooks.
4. No vessel may fish for Atlantic Halibut using more than ~~250~~ 200 circle hooks.
5. Recreational fishermen or commercial fishermen without a Commercial Halibut License may halibut fish, for personal use, using a tub-trawl and are limited to 100 circle hooks in total per vessel. In addition, recreational fishermen or commercial fishermen without a Commercial Halibut license are limited to no more than 100 hooks per person.
6. No individual may possess more than one type of landing tag per year. In addition, it shall be illegal for more than one type of landing tag to be assigned to any one vessel. The full allotment of landing tags will be issued to individuals one time per year.
7. It shall be illegal to possess a Halibut tag on a vessel that the tag is not registered to.
8. For vessels which have been assigned State commercial landings tags for Atlantic Halibut, it shall be illegal to possess Atlantic Halibut when operating seaward of Maine's territorial waters.

E. Halibut Gear Marking Requirements

1. All persons fishing for Atlantic Halibut with Commercial Halibut License in accordance with Chapter 34.07 B-1 must have marking buoys on each end of the trawl clearly labeled with their name and Commercial Halibut License number.
2. All persons recreationally tub trawling for Atlantic Halibut must mark the trawl buoys with their name and the words "Halibut Trawl" or other DMR specified marking.

F. Total Allowable Catch

1. Commercial, party, or charter vessels may land no more than 25 Atlantic Halibut per year.
2. Recreational vessels may land no more than 5 Atlantic Halibut per year.

G. Tagging Requirements

1. All legal size Atlantic Halibut caught in Maine's coastal waters and intended to be retained by a Commercial Halibut License holder or recreational fisherman shall be immediately tagged with a landing tag approved by the Department of Marine Resources (DMR). Landing tags shall be attached in a manner for which the tag was designed tightly around or through the tail just before the tail fin.
2. Landings tags must remain on the fish until the fish has reached its final destination as a legal-sized fish that is not offered or intended for sale, trade, or barter by a recreational fisherman or prior to retail sale by a Commercial Halibut License holder or Wholesale Seafood Dealer. It is illegal to possess Atlantic Halibut which are not properly tagged. Any person in possession of Atlantic Halibut without a DMR landings tag shall not be in violation of this Chapter if that person is in possession of a bill of lading showing the Atlantic Halibut were lawfully obtained from an origin outside the State of Maine or identified in accordance with the exception for Atlantic Halibut raised by means of aquaculture in Chapter 34.07 C-3. The absence of a bill of lading shall be prima facie evidence that the Atlantic Halibut were landed in Maine i.e., not shipped into Maine.
3. No individual or vessel will be issued more than 25 landing tags per (calendar) year except that Commercial Halibut License holders who also hold a Federal Multispecies Permit shall be exempted from the individual tag limit provided that no one federally permitted vessel is assigned more than 25 landing tags per year.
4. Three types of landing tags may be issued:
 - (a) State Commercial tags will be issued to Commercial Halibut License holders without a Federal permit fishing in Maine's territorial waters.
 - (b) Federal Commercial tags will be issued to Commercial Halibut License holders who possess a Federal multispecies permit authorizing access to Federal waters.
 - (c) Recreational tags will be issued to party/charter or recreational vessels which fish in either Federal or territorial waters.

H. Observers

When fishing for Atlantic Halibut, all commercial, recreational, party and charter boat vessels must accept observers aboard their vessels upon request from the DMR or National Marine Fisheries Service (NMFS).

I. Sampling

Atlantic Halibut fishers may be requested to preserve stomach, gonad, otolith, scale or other biological samples for analyses by DMR and NMFS scientists. Any training necessary for compliance with such a request would be provided by DMR and/or NMFS personnel.

J. **Reporting:** See Chapter 8.20(F) Landings Program.

Basis Statement

This regulation aligns expected halibut catch in Maine's territorial waters with the state waters sub-component established in the New England Fishery Management Council's Framework 69 to the Northeast Multispecies Fishery Management Plan. This regulation prohibits fishing for Atlantic halibut in Maine's territorial waters on Wednesdays and Thursdays during the Maine halibut season. It also reduces the number of allowable hooks for commercial vessels from 250 to 200 hooks and clarifies that individuals fishing for halibut recreationally are limited to 100 hooks both per person and per vessel.

Based on comments received, a proposed prohibition on the use of gaffs was not included in the adopted 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 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. Two members of the public attended in-person. The comment period closed March 17, 2025.

The hybrid hearing was attended by the following individuals:

Name	Affiliation
Deirdre Gilbert, Corrin Flora, Megan Ware, Matt Talbott	Maine Department of Marine Resources
Oliver Curry	
Jim Watton	
Branson Bezio	
Jesse Mcphail	
Gerry Cushman	
Howard Duvall	

The Yarmouth hearing was attended by the following individuals:

Name	Affiliation
Deirdre Gilbert, Megan Ware, Sgt Matt Sinclair, MPO Alex Hebert	Maine Department of Marine Resources
Greg Foote	

Brandon Bezio, Monhegan, received via public hearing, March 3, 2025

Hi, this is Brandon from Monhegan. My comments about it, as far as the gaff thing, I think you're creating a rule that's not gonna be able to be enforced. I think everybody that has been more than a day knows when you catch a fish that's close, you know it's small enough to yank it over by the leader. You measure it if it's, if it's too short, you let it go. I think trying to get a fish over the rail that's 100 lbs with a net is just asinine to think that people are actually gonna do that. And I think there's other devices that can be used that are just as deadly to halibut as gaffs that, you know, people are just gonna go use a, you know, use something else. And I think as far as taking the hooks away to reduce catch, I don't really see with the amount of all of it that are around now, I don't see where that's gonna amount to anything. I think the only

real measure to slow the catch and make sure that we don't go over in this season, that you're gonna allow is to have one fish a day in state waters. So that's my two cents about it. And I think the one fish in state water solves a couple problems. It solves enforcement problem is, as far as people with a State licenses that may be catching fish in federal waters and you know, and taking advantage of that and landing more than one fish. So that's, that's all I got.

Jesse McPhail, Perry, received via public hearing, March 3, 2025

Hello, this is Jesse McPhail from Perry, Maine. Eastport, Maine. Fishing vessel Wait and See.

I got a couple questions, a couple things to address on this that I wanted to get out there, and I'll be doing a written one also.

First off on the gaff issue, I've been doing this a long time and I've caught a lot of fish. Usually catch my limit. Anything close, it's a known rule you don't gaff 'em. It's pretty realistic to think that most fishermen, and even then when you do that, 50% of the ones you try to haul the rail without a gaff, you end up losing. And with any bigger fish, on my boat is like 40 some inches off the rail, anytime you try to pick a fish out of the water, you rip the lips off it. So without a gaff on a known fish that you know is 100% legit legal, I see it absurd. To even be thinking of this rule.

And also I want to comment on what I just heard about 1 fish a day in state waters. My concern with that is you're worried about mortality and killing of fish. You catch a fish in the first hook or two, what you want to leave the rest of your hooks on bottom overnight. I mean, I have had seal kills clean my trawls before and now I'm going to leave them on a longer set. So I guess that's my major concern on those two things. As far as the hook limit, I think for 50 hook cut, that's not horrible. That's something to live with. But picking days, I fishing a lot of weather up here next to the Canadians. Right on the line. And you know, I can't pick my days out there, off Seal Rock off West Quoddy head. I mean, let's be real, nobody predicts the weather. I'm just super concerned that we're giving this quota based on all of us, for what fish we really catch up here, when I watched my counter fisherman next door haul 1000 lbs a weekend with all the size limits they can have, I'm just a little upset that I guess we're worrying about what few fish we catch with already the rules we have in place. I mean, any legit, legal fisherman already has common sense on these rules about, you know, you don't got a small fish. And I mean you tag your fish. So I guess my comment is just on 100% against the no gaff rule and the days and I can live with the 200 hook rule. And I guess that's all I got other than what I've gotten written to mail.

I think the only way that you're possibly going to get this quota down is... I mean, I seen last year you could potentially buy a 10 tag license versus a 25 tag license. I know guys are against losing their tags or what not, but my area most people, usually only in the 10 or 15 range fish. I mean, I usually get my fish every year, but I go harder than anybody. I fish every day that I can. I mean, I don't have much going on that time of year and I love to do it, but I was just thinking about what that person said. I think the only way you're going to get that down is you're going to have to reduce the tags. Like I said, the hook thing, whatever. That's a safety concern. The days, the hook.. less is great, but I just want to add that in there. While I heard him, I was thinking of it.

Gerry Cushman, received via public hearing, March 3, 2025

I do believe in what Brendan and the last fella just spoke (Jesse McPhail) that most people, I would say probably 90-95% of most fishermen, that have a close fish just bring him in over by the gangen not with a hook. And I just think it's, now to my comment, pretty hard to enforce anyways. And to the last fellow that spoke (Jesse McPhail), I hear him loud and clear, but I'm not sure if this goes far enough that doesn't

jeopardize us going over the quota and the impact to us will be minimal. But the impact to the groundfishing industry will be severe. I'm a sector president and in my sector there is a lot of fishing on Platt's and Platt's would be closed if we go over the quota. (Is there something you are proposing to achieve that?) I don't 'cause if there's a lot of fish, there's gonna be a lot of fish and I don't even know how we would stop it. 'cause. I think there's gonna be a lot of effort. I wished I had an alternative. I wish I had a crystal ball.

Howard Duval, Eastport, received via public hearing, March 3, 2025

Yes, this is Howard Duvall. I fish outta Eastport. I guess how did you come up with Wednesday and Thursday as days to have you know, no fishing? I guess what I was wondering, I mean, at least for me, I know it would be easier if you took off 3 days at the beginning and three days at the end. Because you take Wednesday and Thursday, with us up here in the 24 foot tides, 26 foot tides, you're going to have to get them out of the water Wednesday night and then Tuesday night. Yeah, OK, it's Wednesday and Thursday, and then you can't put 'em back in the water until Friday morning. Now on the lobster fisherman, they can set traps on Sundays. Are you gonna allow us to set a trawl on Thursday night? And the other comment I have and I know it's already been brought up, but. I'm 76 years old, still trying to catch a few halibut here. And for the last couple of years, I've caught halibut over 100 lbs. And I have no idea how I'm gonna get a halibut in my boat that weighs over 100 pounds by, he's not coming in just by the leader. I can guarantee you that. And I think what's going to happen is after the first person loses his halibut, a 100 pounder, the next time, unfortunately, he's going to have a pistol onboard. And he's going to shoot it so we can get it in. I just don't agree with the gaff thing. I think you know anybody who fishes halibut, they know if it's short or not, and if it's borderline, they bring it in by the leader.

And I think if you would allow and I don't know how you do it, but if they're over 48 inches, we know what gaff it. But I think you're going to discourage a lot of people on this no gaffin' at all.

And they're going to come up with other ways to get it aboard because you can't do it with a net that I can that I can tell. It's going to have to be a 8 foot by diameter net to get it in. And I've heard guys talking about trying to come up with a collar, you know, like, you get catch a dog with or something, you know, on a pole, you're not. There's no way you're gonna get that around his tail. Because once they see that boat, the bottom of that boat, they do not wanna come in. And the bigger they are the worse it's gonna get. You know, it's just no way that you know, you fish for the big ones and you're not going to be able to get them aboard. So that's just my comments and I don't like the Wednesday, Thursday deal. But if that's the way it's going to be, I still want a season. So and I understand what you're up against so. But that's it. My big concern is the gaff.

Howard Duval, Eastport, received via email, March 16, 2025

To the halibut rules committee,

I spoke at the hybrid meeting in Augusta, and am following up with this letter.

I certainly understand the challenge that you have before you. Being a herring weir fisherman at a young age, I've been aware of the difficulties in keeping an industry going. I'm now 76 and am still trying to commercial halibut fish and do a five trap lobster license

Here are my feelings about the new halibut proposed regulations :

The reduction of 250 to 200 hooks will do very little to nothing to reduce the total catch.

The Wednesday/Thursday closures is just a headache to fishermen especially up here in the Eastport area, because we have to deal with such strong tides and poor weather. If a day reduction is necessary, I would rather take three days off each end of the season.

The gaff situation is very premature. I think some studies should be conducted by the warden service to see how many small, legal halibut are actually gaffed. From my experience the smaller halibut are easily brought in by the leader to be measured, causing them no harm. The bigger ones have to be gaffed to get them aboard.

Finally in closing, all of these proposals would not be necessary if you required daily reporting, instead of weekly. With daily reporting you can just close the season with the quota is reached.

I sincerely hope that you will consider the option of daily reporting. The scallop season is monitored in a similar way and closed when needed.

Sincerely,
Howard Duvall
Robbinston, Me
F/V Miss Mac II
Eastport Me

Tim Tower, Ogunquit, received via email, February 12, 2025
To Whom it May Concern,

I think, overall, the proposed regulation is a good one.

I have a party fishing vessel, the Bunny Clark, out of Ogunquit. I take anglers deep sea fishing for groundfish. I hold a seat on the current Recreational Advisory Panel to the New England Fishery Management Council. I am very serious about maintaining the regulations as they are set and, thus, managing my customers in that regard.

I'm concerned about one part of the proposed halibut regulation where it states that you can't land a halibut by using a gaff.

For recreational vessels, not being able to use a gaff to bring a halibut into the boat, would be very tough. We have caught very few legal halibut over the years. Conversely, the largest percentage of halibut we do catch are sub-legal. If a halibut is undersized, our process of getting them in the boat is, with a gloved hand, reach down and grab the fish by the lower jaw and swing it in the boat. And these are the fish that are close to the limit or a fish of about 30 to 25 pounds. For the smaller fish, we lift them out of the water by the sinker (if it's a bait rig) and shake them off. If it's a jig, we grab the jig, lift the fish over the rail and dehook the fish while not touching the gills and release it over the side.

The problem arises when customers want a picture with the fish. I think if you made it illegal to gaff sub-legal fish, at least on party boats, that would work. It would also help if you made it illegal to hold a sub-legal halibut for a picture. We have done this with many sub-legal halibut as it is the most prized fish by the groundfish angler; to even catch a halibut of any size is noteworthy. And it could be the best groundfish the angler has ever caught, legal or sub-legal. After all, a halibut is a halibut regardless of size. You could also make it illegal to gaff the second legal halibut as the Federal rule states that only one legal

halibut is allowed on board a party/charter boat per trip. So, as you know, even if your trip is ten days long, you are only allowed one.

Catching a legal halibut, for any angler, is a fish of a lifetime. By not allowing us to gaff a legal halibut would be unfair. You can tell by looking at a halibut if it's 50 pounds or more. There is no question.

Also, in your email to us, it states: "this regulation adds a prohibition on the use of gaffs to land Atlantic halibut." First of all, landing only refers to bringing the fish ashore. It would be more appropriate to use the word boating or bringing the fish into the boat. Second, if a gaff can't be used to get a legal halibut into the boat, how are you going to get a legal halibut into the boat? It's not like you can grab the tail or use a net to bring a halibut of 100 pounds or more into the boat. Just touching the halibut when you get it to within gaffing range will probably make the halibut take off giving the halibut the likely chance of breaking the anglers line and never seeing the fish again. Also, the only way to get the tail of the halibut to put a tail rope on it would be to use a gaff to get the tail out of water to do so.

If you are still intent on focusing on the gaff issue. I would say that you craft the sentence like this: "It is illegal to gaff a sub-legal halibut at sea, to bring the fish aboard, in order to find out if it is of legal size. Furthermore, it is illegal to gaff any halibut if you already have one legal halibut already aboard. It is illegal to handle a sub-legal halibut including holding the fish for a picture." I think that would make more sense.

Also, you might want to consider how you would police this policy. I think if you encourage the angler to catch a halibut in the appropriate manner it sends a better signal. After all, we are all business people trying to make a living and bring anglers into our state. Promoting deep sea angling benefits all of us who rely on vacationers coming to Maine.

I hope you reconsider this part of the proposed regulation. Boating a legal sized halibut is the fish of a lifetime for most anglers. Even if you gaff a big halibut it's a hell of a struggle to get the fish into the boat. Even with the gaff, you sometimes lose the real big ones, as we lost one close to 300 pounds that way years ago.

Thank you for your consideration.

Hugh Bowen, Received via email, Thursday, February 13, 2025

No gaffing of halibut rule is very telling as to how ridiculous so many enacted or proposed rules by people that work behind a computer are, That the system is broken, and penultimately, regulators generally are there to keep there jobs and funding by finding "problems". Hopefully this rule is struck from the amendment.

Sam Glucksman, Lubec, received via email, February 13, 2025

to whom it may concern

i am writing in regards to the new law proposing prohibiting use of a gaff hook in landing halibut in boats. i strongly oppose this. thank you for consideration.

Sincerely

Dave Kostush, Lubec, received via email, February 13, 2025

Hello:

Just want to weigh in on one of the rules being proposed regarding the harvest of Halibut in the territorial waters of Maine. I understand the need to preserve the stock, thus imposing restrictions on size and number of hooks fished in a long line, as well as closing certain days. I am a recreational fisherman who uses rod and reel. I would very much oppose any proposal to shut down a weekend day to fishing as most of the people available to go out fishing with me have jobs which would preclude their participation during the week. I will not go out alone and indeed cannot manage operating the vessel and a rod and reel at the same time. Due to the extreme currents up here and the depth of water which the Halibut typically inhabit, anchoring has not proved effective. Thus I have resigned myself to trying to drift fish for them. This makes the odds of ever catching a Halibut even more unlikely. Be that as it may I have and hope to continue to participate in the pursuit of this game fish (at considerable effort and expense to me). My

biggest concern however was the mention of not allowing the use of a gaff to land a legal sized fish. It is difficult enough to get an accurate measurement of a fish on the line and then release it if under size without losing a potential keeper. However that is one of the chances we just have to take. But after all that fiddling around, if we have determined we have a legal fish and it has not managed to get away while trying to get a measurement, how in the world do you expect people to get that fish in the boat? These are powerful animals trying desperately to preserve their own lives. No way are you going to control one much less lift it out of the water without losing it, getting injured yourself, or likely both. I assumed that gaffing a fish prior to measurement was prohibited, as unless done very carefully would result in injury to a fish that must be released. So, obviously I am of the opinion that prohibiting the use of a gaff to boat a legal size Halibut is a preposterous idea and recommend that it be stricken from consideration as it only serves to endanger both fish and fishermen/women. Thank you for your time and consideration.

Regards,

Guy Mister, received via email, February 12, 2025

I oppose the proposed halibut regulations because it states you want to prohibit the use of gafs. You need a gaf to land a large halibut and I know from experience. I oppose the regulation. If it is amended to approve the use of gafs I wouldn't have an issue with it, but they are needed for the safety of the angler.

Guy Mister, received via email, February 25, 2025

I disapprove of the Halibut regulations proposed, strictly because of the gaf rule. If we can't gaf them can we shoot them? Because you need a gaf to boat and land a keeper Halibut. Please don't pass that rule. It's incredibly stupid and will only make things harder for honest fishermen and you'll likely cost several people the fish of a lifetime if implemented.

Jason Alley, Jonesport, received via email, February 14, 2025

Comment for Proposed Rulemaking for Groundfish (Halibut)

I am submitting a few short comments on the proposed rulemaking for halibut for upcoming 2025 season.

- Wednesday and Thursday prohibition I do not support a prohibition on days allowed to fish but I do feel Wednesday and Thursday are poor days to choose. Hypothetically if a restaurant or in home customer wanted halibut for the weekend they would be using Monday or Tuesdays fish. In my opinion this isn't fresh.
- Prohibition on use of Gaff Personally I find this prohibition downright insulting. Fishermen have been well aware of the size restrictions on halibut and in my observation have been compliant. I find it insulting and embarrassing to think that the Department would think we couldn't use our judgement at surface of ocean to determine if a fish is potentially harvestable. If you have any questions on the process of landing halibut both large and small, please contact me. I have landed many of both with little issue. I would urge you to completely strike the sentence concerning gaffs.

Frank Peasley, received via email, February 12, 2025

I'm writing to oppose the no fishing for Halibut on Wednesday and Thursday. I think we miss enough days due to bad weather. I also oppose the no gaff rule...how am I supposed to get an 80# fish on deck without a gaff? Are harpoons allowed?

Brian Hinchliffe, Mullica Hill, NJ. Received via remail, February 26, 2025

Please consider modifying the rule to allow anyone fishing for Halibut with rod and reel to fish Wednesday and Thursday. Only people I know of crazy enough to do that is my family who come up to Maine from NJ once a year to do just that. However with this new rule, we might have to give that up.

J Hinch, NJ, received via email, February 27, 2025

Halibut; since 2010 my sons and I have been coming up from New jersey to halibut fish for a week. Saturday to Saturday. We get 8 days to fish. We use rods and reels. We consider it a good trip if we get 1 fish. It costs us a lot of money to do this. R...

Corrin; thank you for giving me the opportunity to respond. My point was having 2 days in the middle of the week limits us to only 5 days in a row to fish instead of 8 days. We don't want to sit around for those 2 days, nor do we have the time. It woul...

David Leland, received via email, March 17, 2025

Hey folks I sat in on the meeting on zoom and frankly can't believe that it is nesssary to cut this fishery back more Maine needs to stand on its own two feet and stop letting miss constrood data and false data play a roll in crippling a fishery that brings a tiny bit of income and joy to the maine people Let the feds b uncharge of there water and let the state b uncharge of ours ive seen it in lobstering they threaten to shut down a fishery for the dumbest reasons but can't There's too many peoples lives at steak and can't face the real problems because of higher powers .. you guys just received a bunch of money to do more research so you've made more charts and graphs to make it look good for more cuts in all of our industries so your just going along with helping them to shut down all these things Over n over I

Lets reflect shall we late 90s	36-38 in fish reduction 50 fish down to 25 three months season down to two
2000s	38 in fish to 41in
More recent	only a one month season can't fish mount desert rock(state waters) 450 hooks down to 250 only a 3 week season

Now you'd like to make it 200 hooks and take another week off the season making it only a 2 week season and no gaffing of fish are you guys serious? What's next money to research a way to make a hopeless ropelessfishing net that cost each of us fisherman 1000\$ STOP going along with this stupidity have a backbone your the wonderful department of marine resources with the power to do things right for the protection of the species and the people who harvest them as far as I'm concerned I could make a graph and chart that says we have already been reduced by 578% and there's no need to reduce any more >>>>>

I once attended a meeting in Ellsworth me in the late 90s and one lady from your department said if we do this we can have a fishery like Alaska Phffffff come on if Canada continue take 32 in fish by the tractor trailer load were never gone get there thats what I told her we all know these fish travel far...

Also wanna mention data for a moment you suoopoe everyone tells the truth from reporting I think your data can b very misconstrued Every time I look at where fish were landed I laugh at one dot imperticular its right out infant of the marine patrol station in lamoine state park my friend said he landed prob around 300 legal fish in the mid 90s there there's your proof that not all data appears to b correct ive also herd people making up fish that they didn't catch just to make sure they landed the 25 fish quota just incase you guys pull a fast one and not grand them 25 fish next year not knowing what the states gonna do so in this case you guys making your graphs and charts to appease the federal government is again false data

It bothers me a great deal that this state is going the way it if with our fisheries once we comply with the rules you guys put onto us there's nogoing back You guys never give back things even if the fish thrive to mass proportions you'll never say oh here's a month back on the end of the season when all the restaurants open and the tourists show up one more story >>>>>> we spend a restaurant one year ... had

lots of halibut on the menu nugget apps halibut sandwiches halibut dinners we cut and processed prob 4-500 pounds of meat and froze it for the season The people absolutely went nuts over our fresh caught halibut and we paid the fisherman 10\$ lb even when maine shellfish stopped buying our fish from the boats cuz they said they could get all they wanted out of Bostonone year we sold out of halibut and we said hey “lets get a fish from maine shell and ill cut it up “ talked with the guys at maine stink got a so called fresh caught 80lb fish soon as I got it I said ohhhh no. soon as I cut into it this fish was a minimum of 10 days old on ice and you gotta trust me ive cut 100s of fish they told us it came from Canada and I could tell cuz the fat content was way thicker than normal

Please stand up for us don't let the federal government win this state over there's a lot of fish out there and there's good years and lesses years it depends on the weather the timing the markets that's where your numbers come from an influx of all those things b proud to keep this fishery going cuz lots of people enjoy doing it not for the money cuz its our right as Mainersits our heritage...our pride.....your pride....we honor our forefathers every time we land a nice 45-50 pounder if you keep going along with this the numbers will continue to look smaller cuz we've been cut back so much of course there gonna look smaller then we won't have anything left like the cod fishery one fish a day for a few weeks in April then again oct its a disgrace cuz there more cod fish in the state of maine then haddock these days there eating all the juvenile lobsters whoa whoa don't get me started on the lobster industry 😞. I can prob catch 100 cod rod n reel any given day I want too but don't get caught with even 1 or they'll hang ya

THANKYOU FOR LISTINING TO MY EMAIL AND PLEASE ON BEHALF OF WHO YOU ARE
AND WHAT YOUR JOB STANDS FOR HELP US FISHERMAN AND DO WHATS RIGHT FOR US
.....NOT WHATS RIGHT FOR THE BLACK CLOUD THAT IS COMMING DOWN ON US LIKE
ACID RAIN YOU CAN MAKE THE DIFFERENCE

Written by David j Leland please reach out with any questions and forward this e mail to Janet mills and the new guy that took Patrice place and anyone else who might b able to help us and our way of life

Greg Foote, received via public hearing, March 5, 2025

Regarding gaffs, I know that there's nets out there but I am not a fan. I think the education is very important: Gaffing undersize fish is not good because you lose 50% or 70% or whatever. But I think most people, most fishermen realize or understand that we need to be conservationist and take care of the resource. I think the majority of people don't want to stick fish that are undersized. But the ability to not use gaffs is a problem for me. At least I see it as a problem. I have seen other commercial fishermen using nets, I will say.

DMR Responses

DMR response regarding gaffs: We understand the concerns about safety and loss of fish when attempting to land large halibut without using a gaff. DMR encourages the use of best management practice when using gaffs and recommends only using a gaff on legal size fish you intend to keep. Based on the numerous comments received, the gaff prohibition has been removed from the rule language.

DMR response regarding weekday closures: DMR is including a reduction in fishing days because a change in hooks alone will not achieve the needed reduction required under Framework 69 to the Northeast Multispecies Fishery Management Plan. Public comment at a January 13 scoping meeting indicated that the industry was not interested in further limiting the length of the season by taking days

away from the beginning and or end of the season due to impacts on market value and a desire to limit derby fishing. The selection of Wednesday and Thursday with the hook reduction is estimated to achieve the needed reduction. Wednesday and Thursday were chosen given this combination of days is projected to achieve a high level of reduction, and DMR wanted to avoid limiting weekend fishing days. Other combinations of two days are not estimated to meet the same level of reduction and DMR did not favor an option of closing three days.

DMR response to whether gear can be set Thursday night: The restriction on fishing Wednesday and Thursdays means gear cannot be set those two days. As a result, a tub trawl for halibut could not be set Thursday night in anticipation of fishing on Friday.

DMR response to not taking action: Atlantic halibut is managed by New England Fishery Management Council. If Maine does not reduce landings of Atlantic halibut in 2025 to the state waters sub-component in Framework 69, there is a high risk of triggering accountability measures. Accountability measures for halibut are severe, including that no federal permit holder may possess, fish for, or land Atlantic halibut in the year the accountability measure is in place. This applies not only to federal Northeast multispecies permit holders, but also federal lobster and scallop permit holders. In addition, the groundfish fishery is subject to area-based accountability measures which either require specific gear configurations or seasonal closures.

DMR response to daily reporting: There were several public comments which recommended DMR move the halibut fishery to daily reporting and shut the fishery down when the halibut quota is caught. While this could be something to consider in the future, recent challenges with daily reporting in other Maine fisheries make DMR hesitant to pursue this path at present. For example, there have been challenges with late reporting in the menhaden fishery which is subject to a quota and daily reporting. This late reporting led to a significant overage of the 2023 quota. There are roughly double the number of commercial halibut permit holders as there are commercial menhaden permit holders, suggesting the challenge of late reporting could be more severe in the halibut fishery.

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 34; Groundfish

STATUTORY AUTHORITY: 12 MRS 6171

DATE AND PLACE OF PUBLIC HEARING(S): March 3, 2025 at 4:00 pm in DMR's Conference
Room 118, Marquardt Building, 32 Blossom Lane, Augusta ME, and remotely via Microsoft Teams.

March 5, 2025 at 4:00 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 regulation intends to reduce catch of Atlantic halibut in Maine's territorial waters to within the new state waters sub-component specified by the New England Fishery Management Council, which was reduced from 16mt in FY2024 to 9.1mt for FY2025

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 rule is expected to reduce the catch of Atlantic halibut in Maine state waters through a reduction in the number of fishing days during the halibut season and a reduction in the number of hooks that may be used.

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]:

The Department considered New England Fishery Management Council's Framework 69 and feedback from the public (industry meeting held January 13th, 2025), 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