

NOTICE OF AGENCY RULE-MAKING ADOPTION**AGENCY:** Department of Marine Resources**CHAPTER NUMBER AND TITLE:** Sea Urchin 2020-2021 Season**CONCISE SUMMARY:**

This regulation establishes open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2020-2021 season. For Zone 1, seasons are implemented for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2019-2020 season. For Zone 1, the daily tote limit is nine (9), the same as in the 2019-2020 season. For Zone 2, 40-day seasons are implemented for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 30 days of their choosing. This proposal has the same number of fishing days and opportunity days as the 2019-2020 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is implemented for Zone 2 divers, trappers, rakers and draggers in 2020-2021. For Zone 2, the daily tote limit is six (6), the same as in the 2019-2020 season.

ADOPTED RULE NUMBER:

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

CONCISE SUMMARY:**EFFECTIVE DATE:**

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

AGENCY CONTACT PERSON: Amanda Ellis (207) 624-6573**AGENCY NAME:** Department of Marine Resources**ADDRESS:** 21 State House Station

Augusta, Maine 04333

WEB SITE: <http://www.maine.gov/dmr/rulemaking/>**E-MAIL:** dmr.rulemaking@maine.gov**TELEPHONE:** (207) 624-6573**FAX:** (207) 624-6024**TTY:** (207) 633-9500 (Deaf/Hard of Hearing)

DEPARTMENT OF MARINE RESOURCES

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season ~~2020-2021~~ ~~2019-2020~~ pursuant to 12 M.R.S. §6749. Harvesters may choose 15 of the available days in Zone 1 and 30 of the potential 40 available days in Zone 2.

1. Zone 1 [as defined by 12 M.R.S. §6749-N(1)]. Harvesters may choose 15 of the available fishing days.

- 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 Mondays, Tuesdays, Wednesdays, Thursdays and Fridays in September and October, 2020, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, and 30, 2019; and October 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30, and 31, 2019. Divers, trappers, and rakers may fish no more than 15 of these days.

- 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 Mondays, Tuesdays, Wednesdays, Thursdays and Fridays in December, 2020; and January and February 2021; except Friday, December 25, 2020 and Friday, January 1, 2021 which shall be closed. December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 26, 27, 30, and 31, 2019; January 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, and 31, 2020 and February 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, and 28, 2020. Divers, trappers, and rakers may fish no more than 15 of these days.

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

The Zone 1 season for draggers is open Mondays, Tuesdays, Wednesdays, Thursdays and Fridays in December, 2020; and January and February 2021; except Friday, December 25, 2020 and Friday, January 1, 2021 which shall be closed. December 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 23, 24, 26, 27, 30, and 31, 2019; January 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 2020; and February 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27, and 28, 2020. Draggers may fish no more than 15 of these days.

- D. Designation of Zone 1 early or late season:

- (1) A diver, trapper, or raker 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 1st and August 15th 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)]. Harvesters may choose 30 of the potential 40 days.

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 September 23, 24, 29 and 30, 2020; and, October 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28 and 29, 2020; and November 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, and 25, 2020; and December 1, 2, 3, 8, 9, 10, 15, 16, 17, 21, 22, and 23, 2020. ~~24, 25, and 26, 2019; October 1, 2, 8, 9, 15, 16, 17, 22, 23, 24, 29, 30, and 31, 2019; November 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, and 27, 2019; and December 3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 26, 30, and 31, 2019.~~ Divers, trappers, and rakers may fish no more than 30 of these days.

B. 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 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, 23, 29, 30, and 31, 2020; and January 5, 6, 7, 12, 13, 14, 19, 20, 26, 27, and 28, 2021; and February 2, 3, 4, 9, 10, 11, 16, 17, 23, 24, and 25, 2021; and March 2, 3, 9, and 10, 2021. ~~3, 4, 5, 10, 11, 12, 17, 18, 19, 26, and 27, 2019; January 2, 7, 8, 9, 14, 15, 16, 21, 22, 28, 29, and 30, 2020; February 4, 5, 6, 11, 12, 13, 18, 19, 25, 26, and 27, 2020; and March 3, 4, 5, 10, 11, and 12, 2020.~~ Divers, trappers, and rakers may fish no more than 30 of these days.

C. Early season for draggers

The Zone 2 season for draggers who have certified the early season on forms provided by the Commissioner, is open Tuesdays, Wednesdays, and Thursdays in October and November 2020; except Thursday October 1, 8 and 15, 2020, and Thursday, November 26, 2020; and December 1, 2, 3, 8, 9, 10, 15, 16, 17, 22, and 23, 2020; and January 5, 6, 7, 12, 13, 14, 19 and 20, 2021. ~~2019, and Tuesdays, Wednesdays, and Thursdays in November 2019, except Thursday, November 28 shall be closed; and Wednesdays and Thursdays in December, and December 27 2019, except Wednesday December 25 shall be closed; and January 2, 3, 8, 9, 15, and 16, 2020.~~ Draggers may fish no more than 30 of these days.

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 1, 2, 3, 8, 9, 10, 15, 16, 17, 21, 22, 23, 28, 29, and 30, 2020; and January 5, 6, 7, 12, 13, 14, 19, 20, 26, 27, and 28, 2021; and February 2, 3, 4, 9, 10, 11, 16, 17, 23, and 24, 2021; and March 2, 3, 9, and 10, 2021. ~~3, 4, 5, 10, 11, 12, 17, 18, 19, 26, and 27, 2019; January 2, 7, 8, 9, 14, 15, 16, 21, 22, 28, 29, and 30, 2020; February 4, 5, 6, 11, 12, 13, 18, 19, 25, 26, and 27, 2020; and March 3, 4, 5, 10, 11, and 12, 2020.~~ Draggers may fish no more than 30 of these days.

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 1st and August 15th 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 (Zone 2). Harvesters may choose up to 15 days of the following applicable season open days for the Whiting and Denny's Bay limited access area to fish within their 30 days available for harvest.

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 September 29, and 30, 2020; and October 8, 13, 15, 20, 22, and 29, 2020; and November 5, 12, 19, and 25, 2020; and December 3, 10, and 17, 2020. ~~25 and 26, October 15, 17, 22, 24, and 31, November 7, 14, 21, and 27 and Thursdays in December 2019.~~

B. 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 late season on forms provided by the Commissioner on December 3, 10, 17, and 31, 2020; and January 7, 12, 14, 19, and 28, 2021; and February 4, 11, 16, and 25, 2021; and March 2 and 9, 2021. ~~Thursdays in December 2018, and Thursdays in January, February, and March, 2019, except March 21 and 28, 2019, which shall be closed.~~

C. 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 Wednesdays in October, November and December 2020 2019, except December 30 25, which shall be closed; and January 6, 13 and 20, 2021. ~~3, 8, and 15, 2020.~~

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 Wednesdays in December, ~~2020 2019~~, ~~except December 25, which shall be closed~~; and Wednesdays in January, ~~and except January 1, 2020, which shall be closed~~; February ~~2021 2020~~; and March ~~3, and 10, 2021. 3, 4, 10, and 11, 2020.~~

(2) Blue Hill Bay Area (Zone 2). Harvesters may fish in the Blue Hill Bay limited access area only in accordance with the following provision:

It shall be unlawful to fish for, take, or possess urchins in Blue Hill Bay, north of a line starting at southernmost tip of Lopaus Point to the northern most point of Black Island; continuing from the westernmost tip of Black Island to the northern most tip of Swans Island Head; continuing to the most southeastern point of Naskeag Point, Brooklin except by draggers, divers, trappers, and rakers who possess aboard their fishing boat, a Global Positioning System (GPS) tracking unit provided by the Department. The spatial tracker must be turned on and continuously recording data for the entire duration of each season, chosen by the harvester. This limited access area will sunset April 1, 2022.

26.20 Targeted Closures

It shall be unlawful to fish for, take, or possess urchins taken by any method within any of the following closed areas. All directions are relative to True North (not magnetic).

Transiting exception:

Any vessel possessing urchins onboard, may transit these targeted closures, 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. Cat Ledges Area:

It shall be unlawful to fish for, take, or possess urchins inside a line drawn from the southwestern tip of Pratt Island, Southport Island, then south to Red Gong "4CL", then northeast to the prominent point on the eastern shore of Christmas Cove.

26.50 Urchin Electronic Reporting

For the purpose of this section, "DMR-issued reporting device" means a transaction card or other Department developed and approved technology provided for the purpose of recording urchin transactions.

1. Eligibility. In order to be eligible for a DMR-issued device for the electronic reporting of urchin landings, an individual must be licensed according to 12 M.R.S. §6748, 6748-A, 6748-D, or 6302-A subsection 3 paragraph B. Valid reporting devices may only be issued by the Department of Marine Resources.
2. Harvester Use. It is unlawful for an individual licensed under 12 M.R.S. §6748, 6748-A, 6748-D, or 6302-A subsection 3 paragraph B to sell or transfer urchins the license holder has taken, unless the harvester presents a DMR-issued reporting device and records each transaction. DMR-issued reporting devices may only be used to sell urchins which were harvested by the

individual identified on the reporting device. A law enforcement officer may seize or deactivate the reporting device of an individual who has used their reporting device to sell urchins they did not harvest. The act of utilizing your reporting on any given day will be considered as one fishing day, between the hours of 12:00 am-11:59pm.

3. Dealer Use. It is unlawful for a person licensed under 12 M.R.S. §6851 subsection 2-B, subsection 2-C, or §6852 to purchase or transfer urchins from an individual licensed under 12 M.R.S. §6748, 6748-A, 6748-D, or 6302-A subsection 3 paragraph B, without recording the transaction using the electronic recording device specified by the Department for that purpose. DMR provided reporting software must be synchronized for updates to the reporting system prior to the purchase of urchins on each fishing day. A person licensed under 12 M.R.S. §6851 subsection 2-B or subsection 2-C may not purchase urchins from a harvester that does not present a DMR-issued reporting device. In the event of any failure of the reporting software or equipment, the Commissioner may authorize the use of paper reports until such time as the system is operational.
4. Records required. A person licensed in accordance with 12 M.R.S. §6851 subsection 2-B or subsection 2-C shall maintain documentation to account for all urchins in their possession. Any urchins legally obtained from other jurisdictions must have sufficient documentation to demonstrate their origin. Failure to provide proper documentation will be prima facie evidence that the urchins are illegal and are subject to seizure.
5. The Department will deactivate the reporting device of any individual who has met or exceeded their sea urchin harvest days. The onus is on the license holder to track days fished; harvesting beyond the number of allocated season days is considered fishing out of season and is prohibited.

Underline as new calendars:

2020-2021 Sea Urchin Season for Maine Zone 1

A Zone 1 harvester may choose to fish 15 of the open days

= Open = Closed

Early Season for Divers, Rakers and Trappers

September 2020						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
6	7	8	9	10	11	12
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
13	14	15	16	17	18	19
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
20	21	22	23	24	25	26
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
27	28	29	30			
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			

October 2020						
S	M	Tu	W	Th	F	S
				1	2	3
				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
4	5	6	7	8	9	10
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
11	12	13	14	15	16	17
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
18	19	20	21	22	23	24
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
25	26	27	28	29	30	31
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

Late Season for Divers, Rakers and Trappers

December 2020						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
6	7	8	9	10	11	12
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
13	14	15	16	17	18	19
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
20	21	22	23	24	25	26
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
27	28	29	30	31		
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		

January 2021						
S	M	Tu	W	Th	F	S
					1	2
					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3	4	5	6	7	8	9
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
10	11	12	13	14	15	16
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
17	18	19	20	21	22	23
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
24	25	26	27	28	29	30
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
31						

February 2021						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
7	8	9	10	11	12	13
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
14	15	16	17	18	19	20
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
21	22	23	24	25	26	27
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
28						

Zone 1 Dragging Season

December 2020						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
6	7	8	9	10	11	12
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
13	14	15	16	17	18	19
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
20	21	22	23	24	25	26
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
27	28	29	30	31		
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		

January 2021						
S	M	Tu	W	Th	F	S
					1	2
					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3	4	5	6	7	8	9
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
10	11	12	13	14	15	16
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
17	18	19	20	21	22	23
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
24	25	26	27	28	29	30
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
31						

February 2021						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
7	8	9	10	11	12	13
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
14	15	16	17	18	19	20
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
21	22	23	24	25	26	27
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
28						

2020-2021 Sea Urchin Season for Maine Zone 2

A Zone 2 harvester may choose to fish 30 of the 40 open days

O = Open = Closed

Early Season for Divers, Rakers and Trappers

September 2020						
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 2020						
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 2020						
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 2020						
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 2020						
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 2021						
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 2021						
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 2021						
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 for Season Dragger

October 2020						
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 2020						
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 2020						
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 2021						
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 for Season Dragger

December 2020						
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 2021						
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 2021						
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 2021						
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			

2020-2021 Sea Urchin Season for Maine Zone 2 for Whiting & Dennys Bays Limited Access Area

O = Open = Closed

Early Season for Divers, Rakers and Trappers

September 2020						
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			
		O	O			

October 2020						
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
		O		O		O

November 2020						
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					
			O	O		

December 2020						
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		
			O	O		

Late Season for Divers, Rakers and Trappers

December 2020						
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		
			O	O		

January 2021						
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						
		O		O		O

February 2021						
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						
		O		O		

March 2021						
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		
		O		O		

Early for Season Draggers

October 2020						
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
		O	O	O	O	O

November 2020						
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					
		O	O	O	O	O

December 2020						
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		
			O	O	O	O

January 2021						
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						
		O	O	O	O	O

Late for Season Draggers

December 2020						
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		
		O	O	O	O	O

January 2021						
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						
		O	O	O	O	O

February 2021						
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						
		O	O	O	O	O

March 2021						
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		
		O	O	O	O	O

~~2019 – 2020 Sea Urchin Season for Maine Zone 1~~
~~A Zone 1 harvester may choose to fish 15 of the open~~
~~days~~

O = Open **□** = Closed

Early Season for Divers, Rakers, and Trappers

September 2019							October 2019						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	2	O	O	O	O				O	O	O	O	
8	O	O	O	O	O		6	O	O	O	O	O	
15	O	O	O	O	O		13	O	O	O	O	O	
22	O	O	O	O	O		20	O	O	O	O	O	
29	O						27	O	O	O	O		

Late season for Divers, Rakers, and Trappers

December 2019							January 2020							February 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	O	O	O	O	O					1	O	O								1
8	O	O	O	O	O		5	O	O	O	O	O		2	O	O	O	O	O	
15	O	O	O	O	O		12	O	O	O	O	O		9	O	O	O	O	O	
22	O	O		O	O		19	O	O	O	O	O		16	O	O	O	O	O	
29	O	O					26	O	O	O	O	O		23	O	O	O	O	O	

Dragging Season

December 2019							January 2020							February 2020						
S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S	S	M	Tu	W	Th	F	S
1	O	O	O	O	O					1	O	O								1
8	O	O	O	O	O		5	O	O	O	O	O		2	O	O	O	O	O	
15	O	O	O	O	O		12	O	O	O	O	O		9	O	O	O	O	O	
22	O	O		O	O		19	O	O	O	O	O		16	O	O	O	O	O	
29	O	O					26	O	O	O	O	O		23	O	O	O	O	O	

~~2019 – 2020 Sea Urchin Season for Maine Zone 2~~
~~A Zone 2 harvester may choose to fish 30 of the 40 open days~~

○ = Open □ = Closed

Early Season for Divers, Rakers, and Trappers

September 2019							October 2019						November 2019							December 2019							
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	5						1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
29	30						27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

Late Season for Divers, Rakers, and Trappers

December 2019							January 2020						February 2020							March 2020							
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							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	29	30	31				

Early Season for Draggers

October 2019							November 2019						December 2019							January 2020							
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	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31	

Late Season for Draggers

December 2019							January 2020						February 2020							March 2020							
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							1	1	2	3	4	5	6	7
8	9	10	11	12	13	14	5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	29	30	31				

~~2019 – 2020 Sea Urchin Season for Maine Zone 2
for Whiting & Dennys Bays Limited Access Area~~

O = Open = Closed

Early Season for Divers, Rakers and Trappers

September 2019							October 2019							November 2019							December 2019						
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	5						1	2	1	2	3	4	5 O	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7 O	8	9	8	9	10	11	12 O	13	14
15	16	17	18	19	20	21	13	14	15 O	16	17 O	18	19	10	11	12	13	14 O	15	16	15	16	17	18	19 O	20	21
22	23	24	25 O	26 O	27	28	20	21	22 O	23	24 O	25	26	17	18	19	20	21 O	22	23	22	23	24	25 O	26 O	27	28
29	30						27	28	29	30	31 O			24	25	26	27 O	28	29	30	29	30	31				

Late Season for Divers, Rakers and Trappers

December 2019							January 2020							February 2020							March 2020						
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 O	6	7				1	2 O	3	4							1	1	2	3	4	5 O	6	7
8	9	10	11	12 O	13	14	5	6	7	8	9 O	10	11	2	3	4	5	6 O	7	8	8	9	10	11	12 O	13	14
15	16	17	18	19 O	20	21	12	13	14	15	16 O	17	18	9	10	11	12	13 O	14	15	15	16	17	18	19	20	21
22	23	24	25 O	26 O	27	28	19	20	21 O	22	23	24	25	16	17	18 O	19	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29	30 O	31		23	24	25	26	27 O	28	29	29	30	31				

Early Season for Draggors

October 2019							November 2019							December 2019							January 2020						
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 O	3	4	5						1	2	1	2	3	4 O	5	6	7				1	2	3 O	4
6	7	8	9 O	10	11	12	3	4	5	6 O	7	8	9	8	9	10	11 O	12	13	14	5	6	7	8 O	9	10	11
13	14	15	16 O	17	18	19	10	11	12	13 O	14	15	16	15	16	17	18 O	19	20	21	12	13	14	15 O	16	17	18
20	21	22	23 O	24	25	26	17	18	19	20 O	21	22	23	22	23	24	25 O	26	27	28	19	20	21	22	23	24	25
27	28	29	30 O	31			24	25	26	27 O	28	29	30	29	30	31				26	27	28	29	30	31		

Late Season for Draggors

December 2019							January 2020							February 2020							March 2020						
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 O	5	6	7				1	2	3	4							1	1	2	3 O	4 O	5	6	7
8	9	10	11 O	12	13	14	5	6	7	8 O	9	10	11	2	3	4	5 O	6	7	8	8	9	10 O	11 O	12	13	14
15	16	17	18 O	19	20	21	12	13	14	15 O	16	17	18	9	10	11	12 O	13	14	15	15	16	17	18	19	20	21
22	23	24	25 O	26	27	28	19	20	21	22 O	23	24	25	16	17	18	19 O	20	21	22	22	23	24	25	26	27	28
29	30	31					26	27	28	29 O	30	31		23	24	25	26 O	27	28	29	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:

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

CHAPTER NUMBER AND RULE: Chapter 26 Sea Urchin 2020-2021 Season

STATUTORY AUTHORITY: 12 MRS §6171 and 12 MRS §6749

DATE AND PLACE OF PUBLIC HEARING(S): None scheduled

COMMENT DEADLINE: July 3, 2020

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

This regulation would establish open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2020-2021 season. For Zone 1, seasons are proposed for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2019-2020 season. For Zone 1, the daily tote limit is nine (9), the same as in the 2019-2020 season. For Zone 2, 40-day seasons are proposed for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 30 days of their choosing. This proposal has the same number of fishing days and opportunity days as the 2019-2020 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is proposed for Zone 2 divers, trappers, rakers and draggers in 2020-2021. For Zone 2, the daily tote limit is six (6), the same as in the 2019-2020 season.

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 and sea urchin processors) in the long term.

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 feedback provided by the Sea Urchin Zone Council, 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.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

[*see* §8057-A(2)(A)]

*INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED: [*see* §8057-A(2)(B)]*

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.

Basis Statement

This regulation establishes open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2020-2021 season. For Zone 1, seasons are implemented for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 15 days of their choosing, the same number of days allowed during the 2019-2020 season. For Zone 1, the daily tote limit is nine (9), the same as in the 2019-2020 season. For Zone 2, 40-day seasons are implemented for divers, trappers, rakers and draggers in 2020-2021, from which harvesters may only fish up to 30 days of their choosing. This proposal has the same number of fishing days and opportunity days as the 2019-2020 season. For the Whiting & Dennys Bays Limited Access Area in Zone 2, a 15-day season is implemented for Zone 2 divers, trappers, rakers and draggers in 2020-2021. For Zone 2, the daily tote limit is six (6), the same as in the 2019-2020 season.

Summary of Comments

Notice of the proposed rulemaking appeared on June 3, 2020 in the five major daily newspapers as published by the Secretary of State. On June 3, 2020, the rule was posted on the DMR website, and electronic messages were sent to individuals who subscribe to DMR notices. A public hearing was not held. The comment period closed July 3, 2020.

Written Comments Received:

Krista Tripp, submitted via email, June 3, 2020

I am requesting that urchins will not be allowed to be dragged for in the Weskeag River, located in South Thomaston, ME. I over-winter my oysters in the Keag River there and last year I saw a dragger dragging very close to my overwintering site. If they were to ever drag through my oyster cages/ bags then it would be catastrophic for my business. There is only one dragger that drags for urchins there and there are wont many in that river to begin with. There are MANY other sites that he can drag for urchins. I know this because I used to work for him, dragging urchins for 3 seasons. He only spends a couple days dragging for urchins in the river there but those 2 days could ruin me, if he were to ever snag any of my gear. Thank you for your time in reading this and thank you for your consideration regarding this proposal!

DMR's Response:

The purpose of this regulation is to establish open harvest days and tote limits for the taking of sea urchins by divers, rakers, trappers, and draggers in Zones 1 and 2 for the 2020-2021 season. The regulation does not contemplate an area closure as proposed by the commenter. The commenter appears to know the dragger. If feasible, the commenter could communicate their concerns with that person before the start of the urchin harvesting season.

Justin Gebo, submitted via email, June 26, 2020

Justin Gebo here...Zone 2 early season diver.. In regards to the season it would be beneficial for everyone to be able to adjust the season on the "fly"...

We don't know where the world will be headed months from now.May need to adjust volume up or down.-RATHER THAN OPEN IT UP AND GRIND AWAY...The buyers are going to need some accommodations if the are Downeast for more than a day. Don't know what will be available.

Divers and draggers NEED to be able to fish their days together...

Zone 2 divers fishing alone in the September days and at the end of December were a waste....We did not fish September or the 2 single days(zone 2 early season) at the end of December-didn't get our days in for the season....buyers would have bought if we "trucked" to Portland in the single digit weather... Was only a few divers and if a buyer came up there was a big price hit. It's one thing if you're zone 1 and can run to Portland every night..

There was not that many divers in September and only one buyer...We did not even bother to go.Wait until the draggers are around and get.50-.80 cents plus a pound extra.

The buyers talk like they want them but they don't show up.2 years ago we left the week early as there was only 2-3 divers in September.

Recommend we go back to 7 totes with less days and then people can get on with their lives rather than "stretch it out"...

As you know there is less and less participation....Stretching it out doesn't help things. Operating cost per day go up. The small offset of "starving" the market with 6 totes a day doesn't make up for the extra days to get the season in.

Department's Response:

It has been customary for Zone 2 calendars to be developed during Sea Urchin Zone Council (SUZC) meetings where individuals gather around to determine what days they would like to see for their gear type and timeframe. During these calendar setting events, dealers, processors and buyers also participate and provide feedback during the development of the individual calendar options. The calendars proposed within for the upcoming 2020-2021 sea urchin harvest season replicated calendars produced by industry for the previous season, along with additional suggestions made by members of the SUZC. That said, previous SUZC meetings discussed the importance of maintaining calendar days in the month of September and as such, the inclusion of September harvest days remains. With the allowance of picking your own days, if September days are not ideal, individual harvesters may choose to skip harvest on those days.

Additionally, it was observed that sea urchin buyers were present in Ellsworth, ME frequently during the 2019-2020 season, and that communications between harvester and buyer to arrange for sale transaction in Ellsworth, ME may be a worthwhile endeavour. Also, previous conversations with buyers during SUZC meetings indicated that stretching the season out to allow for live product to be available September through to March was desired and this information factored into previously recommended calendars. Obviously, there is uncertainty surrounding market potential for the upcoming season. However, no comments were received from dealers, buyers or processors to suggest changes were needed for the proposed calendars.