

DEPARTMENT OF MARINE RESOURCES

Chapter 26 - Sea Urchin Regulations

26.07 Sea Urchin Harvesting Season 2010-2011~~2009-2010~~ pursuant to 12 M.R.S.A. §6749

2. Zone 2 [as defined by 12 M.R.S.A. §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 September 22 to 24, 27 to 29; and Mondays, Tuesday and Wednesdays in the months of October, November and December 2010 plus Thursday, December 16, 2010 and Wednesday, except December 29, 2010 is closed. Wednesdays, Thursdays and Fridays plus Tuesday the 29<sup>th</sup> in the month of September 2009 except September 2, 3 and 4 is closed; and Mondays, Tuesdays and Wednesdays in the month of October 2009; and Mondays and Tuesdays plus Wednesday the 18<sup>th</sup> in the month of November 2009; and Mondays, Tuesdays and Wednesdays in the month of December 2009 plus Thursday, December 17 except December 28 to 30, 2009 is closed.

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 Mondays, Tuesday and Wednesdays in the months of October, November and December 2010 plus Thursday, December 16, 2010 is open and Wednesday, except December 29, 2010 is closed; plus and January 3 to 5 and 10 to 12, 2011. Mondays, Tuesdays and Wednesdays in the month of October 2009; Mondays, Tuesdays and Wednesdays in the month of November 2009 except November 25 is closed; Mondays, Tuesdays and Wednesdays in the month of December 2009 plus Thursday, December 17 except December 30 is closed; and Mondays, Tuesdays and Wednesdays in the month of January 2010 except January 19, 20, 25, 26 and 27 is closed.

C. Late season for divers, trappers, rakers and draggers

The Zone 2 season for divers, trappers, rakers, and draggers who have certified the late season on forms provided by the Commissioner, is open Mondays, Tuesday and Wednesdays in the months of December 2010 and January 2011 plus Thursday, December 16, 2010 except Wednesday, December 1, 2010 is closed; and February 1, 7, 8, 14 to 16, 21 to 23 and 28, 2011; and March 1, 2, 7 to 9, 14 to 16 and 21, 2011. Mondays, Tuesdays and Wednesdays in the month of December 2009, plus December 17, except December 1, 2 and 30 is closed; Mondays, Tuesdays and Wednesdays in the months of January, February and March 2010 except February 3, 10 and March 24, 29, 30 and 31 is closed.

**Note: M.R.S.A. would be replaced by M.R.S. throughout the entire chapter.**

## Basis Statement

### Chapter 26.07(2) Sea Urchin Harvesting Season 2010 – 2011 ~~2009-2010~~ – Zone 2

In 2004, survey results and computer models showed the lowest sea urchin biomass in Zone 2 since the fishery began. The stock had declined to about a sixth of its original size. According to annual surveys in 2005 - 2009, there has been little significant improvement since 2004. Given our experiences in Zone 1, the rapid decline of this stock in both zones, the sea urchin's biological requirements, and the consistent over-fishing and decline of sea urchin stocks worldwide, the Department advocates caution. Therefore the 2010-2011 sea urchin harvesting season will be the same number of days as the previous 45 day season.

Due to continuing poor stock conditions in Zone 2 the short season is designed to allow limited participation by harvesters without seriously threatening stock recovery. The degree of the continued season reduction (compared with the 94-day 2003-04 season) will impose hardship upon Maine's sea urchin industry in the short term. However, no alternative regulatory approach is available at this time that would lessen the

economic burdens imposed upon the regulated citizens, without jeopardizing the viability of the urchin stock for the future.

Following the recommendations of the Sea Urchin Zone Council (SUZC) the Commissioner implements the dates selected by the Council for the Zone 2 season.

## Summary of Comments

### Chapter 26.07(2) Sea Urchin Harvesting Season ~~2009-2010~~ 2010-2011 – Zone 2

Six persons from the general public attended the public hearings. One written comments was received.

#### Hearing attendees – W. Boothbay Hbr

Adam Johns, Woolwich (Zone 1, diver)  
Brian Soper, Harpswell (SUZC Zone 1, diver)  
Caitlin Cleaver, Orono (graduate student)  
Brian Preney, Falmouth (diver)  
DMR: M. Hunter, H. Bray, MPO Boord, L. Churchill

#### Hearing attendees – Ellsworth

Bill Sutter, Wiscasset (dragger, SUZC Chair)  
Bill Trotter, Bangor Daily News (reporter)  
DMR: T. Brawn, H. Bray, L. Churchill

#### Written comments received:

Rob Odlin, Scarborough, Zone 2 Diver, SUCZ member

#### **Individual summarized comments:**

##### **Brian A. Preney, Harpswell, Zone 1 diver**

The Zone Council did vote on the seasons and they did approve Zone 2 having some days in September. It has been an on again off again them diving September. I think it has typically been a disaster for them. Also, a disaster for Zone 1 divers. Our science has shown us over the years that the urchins ripen from west to east in this state with us having a little bit of a head start on Zone 2, which allows our urchins to be a little bit better quality in September but not great lately but better than theirs. So we can put some quality urchins on the market in September whereas they tend to sell whatever they can and in the last few years they've flooded the market with pretty low quality urchins which has depressed our price and Zone 1 with only 10 days we're trying to make the best we can. There are a fair amount of people in Zone 2 especially some of the people who have served on the council that are with us and don't agree that Zone 2 should be diving in September. I believe its shooting themselves in the foot. For one thing it has given their product a bad name. Number two, in September you generally get better weather, they can dive long days, they can dive places they might not be able to dive in the winter time. I've heard from some people in Zone 2 that their stocks are getting a little spotty and really starting to look at lot more like ours. I think they are still in better shape than us but I think they are on their way down. I honestly believe that continued September diving for them will be a nail in their coffin and in five years we'll probably be in better shape than they are. So for economic reasons and conservation reasons I don't believe Zone 2 should be diving in September.

#### **Written comments:**

##### **Rob Odlin, Scarborough, Zone 2 Diver, SUCZ member**

I'd like to suggest we eliminate the one day week at the end of Zone 2 late season. It seems an unreasonable waste of resource. If the weather is questionable then the buyers who travel 4 to 6 hours by truck may decide it's not worth it to make the trip.

Same could be said for the divers/draggers/tenders that travel and depend on sea urchin revenue that time of year.

Even if weather is not a factor, the expenses incurred in a high profile truck with a large diesel engine are substantial. Why are we forcing the buyers to make this investment for a 1 day opportunity to purchase our highly sought after world class product?

I suggest we add the one day at the end of March some place else in the schedule. Perhaps December, this has historically the highest prices and demand.

I'd like to add that the next sea urchin meeting should be held in Belfast, the true Mid-coast. There is a wonderful facility there and its part of University of Maine campus.

Also may I add; at the Commercial Fishing Safety Council meetings we allow the use of conference calls. This helps us obtain a quorum, when other wise it would not be possible.

The start of the next season is now only about 2 and ½ months away, I wish everyone a healthy, safe and prosperous summer.

### **Summary of comments**

#### **1. Separate the Zone 1 and Zone 2 Early Season overlap. This depresses the price for the better quality Zone 1 urchins to the detriment of Zone 2 long term urchin sustainability.**

***Response:** The proposed season was recommended by the Maine Sea Urchin Zone Council, at a meeting March 18, 2010 at which 11 members and additional participants in the urchin industry were present. After considerable discussion and input from those present, the council voted for the Zone 1 and Zone 2 early seasons proposed here. There was also a letter to DMR from a major Maine processor handed out at that meeting, specifically requesting open days in September for Zone 2. The following points were made by those present or at past meetings, and is the basis for not changing the days requested:*

- *September is an important month for Maine processors to establish their presence in the Japanese market for the coming winter season.*
- *Few other countries are able to provide urchins to Japan at that time of year. Maine processors can make money in September.*
- *If only Zone 1 is open, there are too few harvesters to meet the market demand; prices paid to them are inflated and processors lose money, which they will try to make up later in the season.*
- *In recent years, two or three Maine urchin processors have gone out of business, which hurts everyone.*
- *The council recognized that Zone 1 harvesters only get 10 days to fish, and would like to see them get high prices for their product, but artificially high prices and not enough product to meet the processors' needs hurts the whole industry, including Zone 1, in the long run.*

#### **2. Eliminate the one day week at the end of Zone 2 late season. It seems an unreasonable waste of resource. Add the one day at the end of March some place else in the schedule, perhaps in December.**

***Response:** The proposed season was recommended by the Maine Sea Urchin Zone Council, at a meeting March 18, 2010 at which 11 members and additional participants in the urchin industry were present. Although there was some discussion at the meeting about moving the single open day in the last week, there was no consensus on where to move it, so it was left as proposed*