

55.90 Menhaden Pilot Program

Note: No changes are proposed to sections (1, 2 or 3, only section 4)

1. Areas
2. Area Limitations
3. Suspension of rules

4. This regulation expires June 1, 2012-~~2010~~.

Basis Statement

Chapter 55.90 Menhaden Pilot Program

The Menhaden Pilot Program is extended for two years from the current sunset date of June 1, 2010 to June 1, 2012. No other amendments are adopted.

On January 11, 2010 Terry Stockwell, DMR Director of External Affairs reported to the Legislature's Marine Resources Committee on the initial year for the Menhaden Pilot Program. Given the quiet summer in 2009 they concurred that the Department continue to regulate menhaden through the rulemaking process rather than by legislative involvement and simply extend the program in regulation by two years to give the program time to determine it's effectiveness should the menhaden arrive in Maine waters. If needed the program could be amended again to shorten or lengthen if needed prior to June 1, 2012 or before that date.

Summary of Comments

Chapter 55.90 Menhaden Pilot Program

A public hearing was held in West Boothbay Harbor on April 5, 2010. All persons from the public who attended this hearing commented in support of extending the menhaden pilot program for two years. Separate from the rulemaking hearing several questions on the rulemaking process and how the existing regulations work with suggestions for other amendments were described by the commentors.

Hearing attendees:

Robert Bernat, Woolwich
Dale Page, Boothbay Harbor
Mark Bichrest, Harpswell
Robbie Begin, Boothbay Harbor
Michael Brewer, Boothbay Harbor
Marshall Alexander, Biddeford
Vincent Balzano, Saco
Chris Hole, Harpswell
Jennie Bichrest, Topsham
DMR: Lt. Cornish, L. Churchill

Written comments:

Doug Jowett, Brunswick
Capt. Forrest Faulkingham, Alna

Individual summarized comments:

Chris Hole, Harpswell

I don't like the 250,000lb catch limit for the harvester vessel that would make the inability to load several carriers. [Clarification: He's opposed to just this part of the rules being extended for another two years.] That's why all they limited all the catch vessels to just a quarter million,

right, per day? So I'm opposed to that. I don't want it limited to 250,000 per day for the catch vessels.

[Lt. Cornish: That's in Areas A and B only.]

Chris Hole cont'd: It is ok to extend the rules for two years.

Robbie Begin, Boothbay Harbor: I agree to keep it the same for two more years.

Jennie Bichrest, Topsham: I agree this should go for two more years.

Vincent Balzano, Portland: I agree to extend the Menhaden Pilot Project for two more years.

Marshall Alexander, Biddeford: I agree to extend the pilot project for two more years. But hope we can talk about extending it further in the state and adopting something about the size limit on boats.

Dale Page, Boothbay Harbor: I agree that the pilot program should be extended for two more years. But I also agree that there should be further rulemaking for limiting the size of the boats to 250,000 and less than 100 feet long, for further rulemaking.

Michael Brewer, Boothbay Harbor: I agree with the pilot program. I'd like to see it extended for two years and maybe we can make some more changes to it and make it a little better for all of us.

Mark Bichrest, Harpswell: I agree with the extension of the pilot program.

Robert Bernat, Woolwich: I am in agreement. I think we should extend this for another two more years.

Chris Hole cont'd: I just want it on the record that that was a unanimous vote of all the members attending this meeting.

Individual written comments:

Captain Doug Jowett, Brunswick

I support the proposed rule continuing the Menhaden Pilot Program.

Captain Forrest Faulkingham, Alna

Tried to make the [hearing] but ran out of day.

I'm the new president of The Maine Association of Charter boat Captains (MACC)... Anyway MACC would like to go on record supporting the extension of the Menhaden Pilot Program. Hopefully I'll do better at attending the meetings in the future.