

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING PROPOSAL

RULE TITLE: Chapter 8.10(C)(6) Primary Buyer Permit Reporting, Shrimp (weekly reporting by dealers)

CONCISE SUMMARY: Weekly landings reports by shrimp dealers are needed to manage the fishery. Currently, some dealers report only monthly, and this is not timely enough to effectively monitor landings. The proposed regulation would change the report submission time from monthly to weekly, but does not change the type or quantity of information required.

STATUTORY AUTHORITY: 12 M.R.S. §§[6171](#), [6173](#)

PUBLIC HEARINGS:

Oct. 19, 2011, 6:00 PM, Yarmouth, American Legion Cabin, 198 Main Street

Oct. 20, 2011, 6:00 PM, Ellsworth, City Hall Council Chambers (1st Floor), One City Hall Plaza

DEADLINE FOR COMMENTS: October 31, 2011

To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.

AGENCY CONTACT PERSON: Heidi Bray (207-633-9500)

Mail Written Comments to: Department of Marine Resources

ADDRESS: attn L Churchill, PO Box 8

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WEB SITE: <http://www.maine.gov/dmr/rulemaking/>

E-MAIL: laurice.churchill@maine.gov **TEL: (207) 633-9584** FAX:(207) 633-9579 TTY:(207) 633-9500 (Deaf/Hard of Hearing) Hearing facilities: If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578.

Additional information:

In order to ensure consistency with all dealer reporting the proposed rule would establish weekly reporting for 98 dealers. This would be consistent with the 99 dealers who hold a federal dealer permit issued by NOAA Fisheries (National Marine Fisheries Service, Northeast Regional Office). These federal dealers must already report weekly, and will not be affected by this proposed change.

There are 8 dealers with shrimp permits (who purchase shrimp directly from shrimp harvesters) who do not hold federal permits and currently report on a monthly basis who would be affected by this proposed regulation. Additionally, there are 90 dealers who hold a shrimp permit ([12 M.R.S.A. §6851\(2-D\)](#)) who would be affected by the proposed reporting requirement although most of them do not buy shrimp. The proposed regulation would change the report submission time from monthly to weekly, but does not change the type or quantity of information required. Weekly landings reports by shrimp dealers are needed to manage the fishery. Currently, some dealers report only monthly, and this is not timely enough to effectively monitor landings.

All species purchased from harvesters are included in this proposed rule to be consistent with federal reporting rules, ensure dealers submit all data required in Chapter 8 at one time and to avoid DMR compliance tracking by individual species. Each year, the shrimp season usually runs during the winter and spring from December through March, April, or May and is established by rule the previous November. Dealers will be able to report either electronically or on paper forms.

Proposed rulemaking – see underlined or ~~deleted~~ text below:

Chapter 8 Landings Program

8.10 Primary Buyer Permit Reporting

C. Additional data elements and requirements for specific fisheries:

6. Shrimp:

A dealer who holds a Wholesale Seafood license with shrimp permit (12 M.R.S. [§6851\(2-D\)](#)) shall report all landings bought from harvesters (including any marine organism) to DMR on a weekly basis for the entire shrimp season as specified in DMR regulations Chapter 45.05. The reporting week begins on Sunday at 0001 hrs (12:01 AM) local time and ends Saturday at 2400 hrs (12:00 midnight). Reports must be postmarked or received at the DMR by 1700 hours (5:00 PM) Tuesday, three days after the end of each reporting week.