

25.04 Lobster Trawl Limits

F. Linekin Bay

It is unlawful to fish for or take lobsters with more than two traps on any one line or buoy in the waters of Linekin Bay, Lincoln County, inside and northerly of a line drawn as follows: starting at the southern tip of Spruce Point, Boothbay Harbor, southerly to a red navigational buoy #N"Z2"; thence southeasterly to a ~~black~~ green navigational buoy #C"1"; thence easterly to the northern tip of ~~Negro~~ Oak Island; thence true east to Linekin Neck, Boothbay.

25.11 Lobster and Crab Bait Review Process

C. Lobster/Crab Bait Dealer

Any person who purchases lobster or crab bait for other than their own use and then sells the bait as a wholesale or retail bait product, ~~and a harvester who sells lobster or crab bait to an individual(s) for personal use as bait are~~ is considered a lobster/crab bait dealer.

Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

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CHAPTER NUMBER AND RULE: Chapter 25 Technical corrections

STATUTORY AUTHORITY: 12 MRS 6171; 12 MRS 6526

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

COMMENT DEADLINE: July 15, 2022

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [see §8057-A(1)(A)&(C)] The principal reason for the proposal is to make technical corrections to Chapter 25 to improve the clarity of the regulation.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___ YES ___ NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [see §8057-A(1)(B)&(D)] This rule will provide the correct information for the trawl limit area in Linekin Bay and clarify that a harvester who sells fish they harvested for bait is not a bait dealer.

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]: Input from Marine Patrol regarding the coordinates and island name.

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 rule makes technical corrections to Chapter 25. Specifically, it provides accurate buoy colors and numbers in Linekin Bay, as well as correcting the name of an island which the owners have renamed “Oak Island”. Finally, it clarifies that a harvester who is selling fish that they caught for bait is not a bait dealer.

Summary of Comments

Notice of the proposed rulemaking appeared on June 15, 2022 in the five major daily newspapers as published by the Secretary of State. On June 15, 2022, the rule was posted on the DMR website, and on June 15, 2022 electronic messages were sent to individuals and industry members who subscribe to DMR notices. No public hearing was held. The comment period closed July 15, 2022. DMR did not receive any written comments on the proposal.