

DEPARTMENT OF MARINE RESOURCES

CHAPTER 40 - SMELT

TITLE INDEX

40.12 Taking of smelts from the coastal waters of Maine

DEPARTMENT OF MARINE RESOURCES

Chapter 40 - Smelt Regulations

40.12 Taking of smelts from the coastal waters of Maine

A. Restrictions

1. It shall be unlawful to fish for or take smelts from the coastal waters by any means other than a dip net or by hook and line as defined by [12 M.R.S. §6001\(20\)](#).
2. During the period March 15 to June 30, both days inclusive, it shall be illegal to take more than 2 quarts per day of smelts from the coastal waters of the State. Possession of over 2 quarts per day of smelts during this period on any coastal river, brook, or stream shall be prima facie evidence that the smelts were taken in violation of this regulation.
3. It shall be unlawful to stand in the water of any coastal river, brook, or stream while fishing for smelts.

B. Exceptions

1. Any wholesale seafood or retail seafood dealer licensed pursuant to 12 M.R.S. §6851 or §6852; bait dealer licensed pursuant to 12 M.R.S. §7172; or grocery, restaurant or fish store may possess more than 2 quarts per day in his/her place of business.
2. Taking of smelts in Washington County
  - (a) January 1 through April 1, both days inclusive, without any limit on quantity, the use of gill nets and bag nets in addition to dip net or hook and line are allowed in the following tidal waters:  
East Machias River in the Town of East Machias following the town line;  
Pleasant River in the Towns of Columbia Falls, Addison, and Harrington within 44° 31.18'N, 67° 47.60' W (end of Ripley Neck) to 44° 29.92'N, 67° 44.64'W (end of Cape Split)  
Narraguagus River in the Towns of Milbridge and Cherryfield within 44° 31.23'N, 67° 51.63'W (Long Point) to 44° 31.61'N, 67° 51.46'W (Fickett Point).
  - (b) January 1 through April 10, both days inclusive, without any limit on quantity, the use of gill nets and bag nets in addition to dip net or hook and line are allowed in the following tidal waters:  
Town of Steuben;  
Indian River in the towns of Addison, Jonesport, and Jonesboro within 44° 29.87'N, 67° 42.74'W (the end point of Moose Neck), and 44° 31.60'N, 67° 38.34'W (end of Hopkins Point);  
Harrington River and Mill River in the towns of Harrington and Milbridge within 44° 32.51'N, 67° 49.09'W (end of Ray Point) and 44° 32.67'N, 67° 48.23'W (end of Town Landing Road);  
Chandler River in the town of Jonesboro within 44° 37.85'N, 67° 32.61'W (end of Look Point) and 44° 38.40'N, 67° 32.62'W (end of Deep Hole Point).

Outside these dates and coordinates the restrictions in Chapter 40.12(A) apply.

DEPARTMENT OF MARINE RESOURCES

CHAPTER 40 - SMELT

INDEX

EFFECTIVE DATE:

May 2, 1982 - Section 9(B)

May 10, 1982 - Chapter 40 with reprints of Private and Special Laws filed - Sections 1-13

AMENDED:

April 3, 1988 - Section 9 & 12

April 3, 1988 - Section 8 & 12

March 27, 1989 - Section 11

December 21, 2009 – Sections 1-13