

NOTICE OF AGENCY RULE-MAKING ADOPTION

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 11 Atlantic Sea Scallop Regulations and 2015-2016 Harvesting Season

ADOPTED RULE NUMBER:

CONCISE SUMMARY:

This regulation establishes the 2015-2016 scallop season. The Department is adopting a 15 gallon daily limit and a 60-day season in Zone 1. Several targeted closures are also proposed for Zone 1, reflecting the need for further conservation measures to assist in rebuilding in this area of the state based on the recent spring survey information. Fifteen days are proposed in the Zone 1 Limited Access Areas for divers and draggers. For Zone 2, the Department is adopting 15 gallon daily limit and a 70-day season. In Zone 3, a 50-day season is established and 17 potential days in the Whiting & Dennys Bays Limited Access Area.

In addition, the DMR is implementing a number of targeted closures which include Eastern Casco Bay, Damariscotta River, Ocean Point, Muscle Ridge (open two days per week), Lower Muscle Ridge, South Portland Harbor, Lower Broad Sound (Casco Bay), Sheepscot River and Muscongus Bay.

Finally, the rule reorganizes the chapter to clarify the distinction between the statutory limits of the scallop season, open days, and the in-season closures of specific areas which are implemented in order to prevent unusual damage or imminent depletion of the resource.

As authorized by 12 M.R.S. § 6171, the Commissioner of Marine Resources adopts this regulation.

EFFECTIVE DATE: October 26, 2015

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DEPARTMENT OF MARINE RESOURCES

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CHAPTER 11 - SCALLOPS

TITLE INDEX

- 11.01 Definitions
- 11.02 Reporting: See Chapter 8.
- 11.03 Dragging for scallops in Gouldsboro Bay, Hancock and Washington Counties
P&SL 1969, c. 104, §1; P&SL 1973, c. 36 (Originally filed as 11.02, renumbered as 11.03-8/31/97)
- 11.04 Atlantic Sea Scallop Harvesting Season
- 11.06 Scalping in the Frenchboro Cable Area
(Originally filed as 11.05, renumbered as 11.06 - 8/31/97)
- 11.07 Configuration of Scallop Drag
- 11.09 ~~Atlantic Sea Scallop Harvesting Season~~ Open Days for Scallop Harvesting
- 11.10 Atlantic Sea Scallops, Size, Harvesting, and Conservation Zone Regulations
- 11.15 Scallop Research Conservation Areas, Beals - Jonesport
- 11.16 Dragging for Scallops Damariscotta River, Lincoln County
- 11.17 Scallop Regulations
- 11.18 Drag Limits in Blue Hill Bay
- 11.19 Cobscook Bay Limits and Restrictions
- 11.20 Scallop Fishing in the Kittery Area
- 11.21 Ten (10) Year Rotational Management Plan
- 11.22 Targeted Closures
- 11.23 Municipal Mooring Field Closures
- 11.24 Trigger Mechanism

11.04 Atlantic Sea Scallop Harvesting Season

1. A person may not fish for or take scallops in Maine's territorial waters from April 16th to November 30th, both days inclusive. Open days for harvesting Atlantic Sea Scallops are established by 11.09.

11.09 Atlantic Sea Scallop Harvesting Season Open Days for Scallop Harvesting

~~1. Zone 1 & 2 season for draggers~~

~~The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 1 and Zone 2 is open December 1, 2014 through April 9, 2015, both days inclusive, with the following exceptions:~~

~~A. In December 2014, January 2015, February 2015 and April 2015, fishing is prohibited on Fridays, Saturdays and Sundays, except for Friday, December 26 and Friday, January 2, 2015 which shall be open. Fishing is prohibited on Wednesday, December 24, Thursday, December 25, Wednesday, December 31, 2014 and Thursday, January 1, 2015.~~

~~B. In March 2015 fishing is prohibited on Thursdays, Fridays, and Saturdays.~~

~~2. Zone 1 & 2 season for divers~~

~~The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 1 and Zone 2 is open December 3, 2014 through April 11, 2015, both days inclusive, with the following exceptions:~~

~~A. In December 2014 and April 2015, fishing is prohibited on Sundays, Mondays and Tuesdays, except for Monday, December 22, Tuesday, December 23, Monday December 29, and Tuesday, December 30, 2014 which shall be open. Fishing is prohibited on Wednesday, December 24, Thursday, December 25, and Wednesday, December 31, 2014.~~

~~B. In January 2015 and February 2015, fishing is prohibited on Saturdays, Sundays, Mondays and Tuesdays. Fishing is prohibited on Thursday, January 1, 2015.~~

~~C. In March 2015, fishing is prohibited on Sundays and Mondays. Fishing is also prohibited on Tuesday, March 3, 2015.~~

~~3. Zone 3 season for draggers~~

~~The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 3 is open December 1, 2014 through April 7, 2015, both days inclusive, with the following exceptions:~~

~~A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays, except for Friday, December 26 and Friday, January 2, 2015 which shall be open. Fishing is also prohibited on Wednesday, December 24 and Wednesday, December 31, 2014, Monday, January 12, Tuesday, January 13, Wednesday, January 14, Monday, January 19, Tuesday, January 20 and Wednesday, January 21, 2015.~~

~~4. Zone 3 season for divers~~

~~The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 3 is open December 4, 2014 through April 11, 2015, both days inclusive, with the following exceptions:~~

~~A. In December 2014, March 2015 and April 2015, fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays, except for Tuesday, December 23 and Tuesday, December 30, 2014 which shall be open. Fishing is prohibited on Thursday, December 25, 2014.~~

~~B. In January 2015 and February 2015, fishing is prohibited on Saturdays, Sundays, Mondays and Tuesdays. Fishing is prohibited on Thursday, January 1, Wednesday, January 14, Thursday, January 15, Friday, January 16, Wednesday, January 21, Thursday, January 22 and Friday, January 23, 2015.~~

1. Zone 1 season for draggers
The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 1 is open December 15, 2015 through April 11, 2016, both days inclusive, with the following exceptions:
 - A. In December 2015, January 2016, and February 2016, fishing is prohibited on Fridays, Saturdays and Sundays. Fishing is prohibited on Thursday, December 24, and Thursday, December 31, 2015.
 - B. In March 2016 and April 2016 fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays.
2. Zone 1 season for divers
The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 1 is open December 1, 2015 through April 15, 2016, both days inclusive, with the following exceptions:
 - A. In the months of December 2015, March 2016 and April 2016, fishing is prohibited on Sundays, Mondays and Tuesdays, except for Tuesday, December 1, Tuesday, December 8, Tuesday, December 15, Monday, December 21, Tuesday, December 22, Monday, December 28 and Tuesday, December 29, 2015 and Tuesday, April 5 and Tuesday, April 12, 2016 which shall be open. Fishing is prohibited on Thursday, December 24, Friday, December 25 and Thursday, December 31, 2015.
 - B. In the months of January 2016 and February 2016 fishing is prohibited except for Saturday, January 2, Wednesday, January 6, Thursday, December 7, Friday, January 8, Saturday, January 9, Wednesday, January 13, Thursday, January 14, Friday, January 15, and Saturday, January 16, 2016 which shall be open.
3. Zone 2 season for draggers
The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 2 is open December 1, 2015 through April 13, 2016, both days inclusive, with the following exceptions:
 - A. In December 2015, January 2016, and February 2016, fishing is prohibited on Fridays, Saturdays and Sundays. Fishing is prohibited on Thursday, December 24, and Thursday, December 31, 2015.
 - B. In March 2016 and April 2016 fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays.
4. Zone 2 season for divers
The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 2 is open December 1, 2015 through April 15, 2016, both days inclusive, with the following exceptions:
 - A. In the months of December 2015, March 2016 and April 2016, fishing is prohibited on Sundays, Mondays and Tuesdays, except for Tuesday, December 1, Monday, December 21, Tuesday, December 22, Monday, December 28 and Tuesday, December 29, 2015 which shall be open. Fishing is prohibited on Thursday, December 24, Friday, December 25 and Thursday, December 31, 2015, Wednesday, March 2 and Wednesday, March 9, 2016.
 - B. In the months of January 2016 and February 2016 fishing is prohibited on Saturdays, Sundays, Mondays, Tuesdays and Wednesdays except for Saturday, January 2, Wednesday, January 6, Saturday, January 9, Wednesday, January 13, Saturday, January 16, Monday, February 8, Tuesday, February 9, Wednesday, February 10, and Saturday, February 13, 2016 which shall be open.
5. Zone 3 season for draggers
The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 3 is open December 1, 2015 through March 23, 2016, both days inclusive, with the following exceptions:
 - A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays.

6. Zone 3 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 3 is open December 3, 2015 through March 26, 2016, both days inclusive, with the following exceptions:

- A. In December 2015 and March 2016 fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays, except for Tuesday, December 22, Wednesday, December 23, Tuesday, December 29, and Wednesday, December 30, 2015 which shall be open. Fishing is prohibited on Thursday, December 24 and Thursday, December 31, 2015.
- B. In January 2016 and February 2016, fishing is prohibited on Saturdays, Sundays, Mondays and Tuesdays. Fishing is prohibited on Friday, January 1, 2016.

11.10 Atlantic Sea Scallops Limitations

1. Size, Harvesting and Conservation Zone Regulations

A. Swans Island Lobster Conservation Area Scallop Drag Size Restrictions

It shall be unlawful to possess on any vessel fishing for scallops or fish for or take scallops within the Swans Island Lobster Conservation Area (DMR Regulation, Ch. 25.90, (A) (1)) with any scallop drag or combination of scallop drags (chain sweep or rock drags) having an aggregate width in excess of eight feet, six inches.

B. Atlantic Sea Scallops, Minimum Size

In Maine Territorial Waters, it shall be unlawful to possess Atlantic sea scallops whose shells are less than 4 inches in the longest diameter, effective on December 1, 2004 and thereafter in accordance with 12 M.R.S. § 6721(1)(A) & (B).

C. Atlantic Sea Scallops, Drag Size Restrictions

(1) From December 1 through April 15, both days inclusive, it shall be unlawful to possess on any vessel fishing for scallops or fish for or take scallops with any one combination of scallop drags having an aggregate in excess of 10 feet 6 inches in width (by measuring from the extreme outside edge of the mouth of the drag or drags), within Maine's territorial waters.

D. Atlantic Sea Scallops, Night Harvesting Prohibition

Effective November 1, 1986, it shall be unlawful to fish for or take scallops during the nighttime hours between sunset (as defined in 12 M.R.S. § 6001(46)) and sunrise (as defined in 12 M.R.S. § 6001(45)) within Maine's territorial waters.

E. Atlantic Sea Scallops, Culling Required

Scallops less than the minimum legal size must be immediately liberated. It is prima facie evidence of possession of illegal scallops if a vessel contains scallops smaller than the minimum size while a scallop license holder or crewmember is shucking scallops.

F. Atlantic Sea Scallops, Shellstock Ratio to Meat Conversion, Possession Limit, Daily Limit

(1) Shellstock Ratio to Meat Conversion.

For the purposes of this regulation, one and a half bushels of shellstock shall be equal to one gallon of scallop meat.

(2) Daily Harvest and Possession Limits.

It is unlawful to fish for, take or possess more than 15 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 15 gallons of meat per day per vessel.

(3) Daily Limit.

- (a) It is unlawful to unload any portion of a day's catch and return to fishing in Maine's territorial waters.
- (b) It is unlawful to transfer to or receive from another vessel any scallop shellstock or scallop meats

G. Atlantic Sea Scallops Harvested Seaward of Maine's Territorial Waters

A vessel may possess or land more than 15 gallons of scallop meats per day within Maine's territorial waters only if it meets each of the following requirements:

- (1) The scallop meats were harvested seaward of Maine's territorial waters.
- (2) The vessel holds a valid current Federal Permit (Title 50(A) §648.4) that authorizes possession of more than 15 gallons of scallop meats per day.
- (3) The amount of scallop meats on board does not exceed the maximum amount authorized by the vessel's Federal Permit.
- (4) The vessel has all fishing gear (dredges, drags) securely stowed when transiting Maine's territorial waters. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

H. Limited Access Areas

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by divers on ~~January 2, 9, 16, 23, 30, 2015; February 6, 13, 20 and 27, 2015; March 7, 14, 21 and 28, 2015; and April 4 and 11, 2015~~ except for ~~Whiting and Dennys Bays Area (4) where fishing shall be additionally open on December 6, 13, 20 and 27, 2014 and prohibited on January 16 and 23, 2015.~~ December 2, 9, 16, 19, 21, 23, 26 and 30, 2015; January 13 and 16, 2016; and March 2, 5, 9, 12, 16 and 23, 2016 except for Whiting and Dennys Bays Area (4) where fishing shall only be open to divers on December 4, 11, 18 and 22, 2015; January 8, 15, 22 and 29, 2016; February 5, 12, 19 and 26, 2016; and March 4, 11, 18, 25 and 26, 2016. All directions are relative to True north (not magnetic).

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on ~~January 7, 14, 21, 28, 2015; February 4, 11, 18 and 25, 2015; March 4, 11, 18 and 25, 2015; and April 1 and 8, 2015~~ except for ~~Whiting and Dennys Bays Area (4) where fishing shall be additionally open on December 3, 10, and 17, 2014 and prohibited on January 14 and 21, 2015 and April 8, 2015.~~ January 4, 11, 18 and 25, 2016; February 1, 8, 15, 22 and 29, 2016; March 7, 14, 21 and 28, 2016 and April 4 and 11, 2016 except for Whiting and Dennys Bays Area (4) where fishing shall only be open to draggers on December 2, 9, 16, 23 and 30, 2015; January 6, 13, 20 and 27, 2016; February 3, 10, 17 and 24, 2016; and March 2, 9, 16, and 23, 2016. All directions are relative to True north (not magnetic).

Transiting exception:

Any vessel possessing scallops onboard, may transit these Limited Access Areas, only if the vessel has all fishing gear (dredges, drags, regulators, buoyancy compensators, fins, tanks, weight belts) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch for draggers, while regulators, buoyancy compensators and tanks should be disconnected with fins and weight belts removed for divers.

The Commissioner may close harvesting for the remainder of the season in the Limited Access Areas listed below though emergency rulemaking if the Department has information that indicates there is a likelihood that between 30 percent and 40 percent of the harvestable biomass has been removed.

(1) Casco Bay Area:

Western boundary: South of a line drawn from the most southwestern point of Basin Point (Harpwell) to the northern tip of Jewell Island. Also, the waters between and to the north of Basin Point and Gun Point bounded by the Route 24 Gurnet Bridge (Harpwell).

Eastern boundary: West and North of a line drawn from the most southern tip of Gun Point, Harpswell, to G "3", South of Round Rock; continuing in a southwesterly direction to R N "4" at Drunkers Ledges, then continuing to the southeastern tip of Jewell island.

(2) Damariscotta/Sheepscot Area:

South of a line drawn from the most northeastern point of Dogfish Head to the most northeastern point of Macmahan Island, and south of a line drawn from the most northwestern point of Macmahan Island to the most northeastern tip of Soldier Point and south and east of the Southport Island Bridge. Then north of a line drawn from the most southern point of Outer Head Island at Griffith Head, Georgetown to the most southern tip of Cape Island, Southport and then to the most southern tip of Fishermen Island. Then, north of a line from the most northern tip of Fishermen Island to the most southwestern point of Thrumcap Island, and west of a line drawn from this point to the most southern tip of Shipley Point, following the western shoreline of Rutherford Island. Also, west of the South Bristol Bridge, and to include the Damariscotta River.

(3) Muscongus/Western Penobscot Area:

Western boundary: North and east of a line beginning at the intersection of Latitude 43° 55' N on Pemaquid Neck (just north of Brown's Cove, Bristol), and following this latitude to its intersection on the west shore of Mosquito Island, St. George.

Eastern boundary: South and west of a line starting at the northern end of the Rackliff Island causeway then following the shore to the most southern point of Rackliff Island continuing to the most southern point of Norton Island and then continuing to the most southern point of Whitehead Island then to the southern end of Two Bush Island and continuing in a southwest direction to the most eastern tip of Mosquito Island, St. George.

(4) Whiting Bay and Denny's Bays Area (~~open December 2014 only as per section 11.10(H) above~~):

It shall be unlawful to fish for or take scallops and or urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting Bay and Denny's Bays.

11.21 Ten (10) Year Rotational Management Plan

1. Zone Two (2): Eastern Maine

The open and closed seasons in the specified areas within Zone Two (2) shall be open on a rotational basis as shown in the following table:

Zone Two (2) Eastern Maine 10 Year Rotational Management Plan Schedule										
Rotation	Year 1 2012-13 Season	Year 2 2013-14 Season	Year 3 2014-15 Season	Year 4 2015-16 Season	Year 5 2016-17 Season	Year 6 2017-18 Season	Year 7 2018-19 Season	Year 8 2019-20 Season	Year 9 2020-21 Season	Year 10 2021-22 Season
First	X	X	OPEN	X	X	OPEN	X	X	OPEN	X
Second	OPEN	OPEN	X	X	OPEN	X	X	OPEN	X	X
Third	OPEN	OPEN	X	OPEN	X	X	OPEN	X	X	OPEN

A. First Rotation

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas, except for the 2014-15 fishing season, the 2017-18 fishing season and the 2020-21 fishing season. All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

Any vessel possessing scallops onboard, may transit these closed areas, only if the vessel has all fishing gear (dredges, drags) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

(1) The Bold Coast

Eastern boundary: South and West of a line drawn from the international bridge that connects Lubec to Campobello Island, New Brunswick, Canada.

Western boundary: North and East of a line starting at the most western tip of Jim's Head in the town of Trescott and Magnetic south to the three mile limit.

(2) Little Kennebec/Englishman Bay:

Eastern boundary: South and West of a line starting at Bucks Head, Machiasport proceeding East to the southern end of Northwest Head on Cross Island then True South to the three mile limit.

Western boundary: East and South of a line starting at the most northeastern point of Great Head, Roque Island then northeast to the most southern end of Shoppee Point, Roque Bluffs and from the eastern tip of Great Spruce Island True South to the three mile limit, including Roque Island harbor however not to include the Thoroughfare between Roque Island and Great Spruce Island.

(3) Addison

Eastern boundary: South and West of a line starting at the most eastern end of Tibbett Island going due North to the closest point of land on Moose Neck and southeast to the most northern tip of eastern Plummer Island then the most western tip of Toms Island then True South to the three mile limit.

Western boundary: East and South of a line starting at Strout Point in the town of Milbridge to the most northern tip of Foster Island in the town of Milbridge then the most southeastern tip of Fosters Island to the most northern tip of Dyers Island; continuing from southern tip of Dyers Island to the most northwestern tip of Flint Island and the most southwestern tip of Flint Island then running Magnetic South to the three mile limit.

(4) Frenchman's Bay

Eastern boundary: South and West of a line starting from the southern most tip of Schoodic Point Magnetic South to the three mile limit (western boundary of the Zone A lobster management zone).

Western boundary: East and North of a line starting at the most eastern end of Otter Point, Mount Desert Island continuing SE (135°) to the three mile limit at Latitude 44 16.080 N Longitude 68 07.919 W.

(5) Swan's Island

Eastern boundary: South and West of a line starting at Bass Harbor Head then in a southeast direction to the most easterly Point of Great Gott Island continuing on True South to the three mile limit.

Western boundary: East and South of a line from the southern most tip of Lopaus Point to the northern most point of Black Island; continuing from the western most tip of Black Island to the northern most tip of Swans Island Head, Swans Island; continuing South from West Point, Swans Island to Long Point, Marshall Island; then East of a line from the southwestern most tip of Lower Head, Marshall Island running True South to the three mile limit.

(6) Isle Au Haut Bay

Eastern boundary: South and West of a line starting at Moose Island, Deer Isle, to the western most point of Farrel Island, then True South to the three mile limit.

Western boundary: South of a line starting at the southern most point of Stinson Point, Deer Isle west to Mullen Head, North Haven; then East of a line starting at Fish Point, North Haven to Calder Wood Point on Calderwood Neck, Vinalhaven; continuing from the southern most point of Lane Island, Vinalhaven, True South to the three mile limit.

(7) Upper Penobscot Bay

Eastern boundary: Northwest of a line from Deer Isle bridge and the most southwestern point of Little Deer Isle to the most northern point of Pickering Island, then to the most eastern tip of Dark Harbor, Islesboro; continuing on from Grindel Point, Islesboro due West to the Sea Urchin Zone line at Latitude 44 16.913 N Longitude 68 58.508 W.
Western boundary: East of the Sea Urchin Zone Line.

B. Second Rotation

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas, except for the 2012-13 fishing season, the 2013-14 fishing season, the 2016-17 fishing season and the 2019-20 fishing season. All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

Any vessel possessing scallops onboard, may transit these closed areas, only if the vessel has all fishing gear (dredges, drags) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

(1) The Cutler Shore

Eastern boundary: South and West of a line starting at the most western tip of Jim's Head in the town of Trescott and Magnetic South to the three mile limit.

Western boundary: North and East of a line drawn South from Great Head, Cutler to the three mile limit.

(2) Chandler Bay/Head Harbor Island

Eastern boundary: North and West a line starting at the most northeastern point Of Great Head, Roque Island then northeast to the most southern end of Shoppee Point, Roque Bluffs and from the eastern tip of Great Spruce Island True South to the three mile limit, including the Thoroughfare between Roque Island and Great Spruce Island.

Western boundary: East of the Jonesport Bridge then True South from the most Eastern tip of Little Pond Head to the three mile limit.

(3) Narraguagus/Pigeon Hill Bay

Eastern boundary: South and West of a line starting at Strout Point in the town of Milbridge to the most northern tip of Foster Island in the town of Milbridge then The most southeastern tip of Fosters Island to the most northern tip of Dyers Island; continuing from southern tip of Dyers Island to the most northwestern tip of Flint Island and the most southwestern tip of Flint Island then running Magnetic South to the three mile limit.

Western boundary: North and East of a line starting at the most southern tip of Petit Manan to EB gong, then South to the northern most tip of Green Island; then from the southeastern top of Green Island to the northern tip of Petit Manan Island; then from the southern tip of Petit Manan Island to N"2", then to G"1" bell , then True South to the three mile limit.

(4) Cranberry Isle Area

Eastern boundary: South and West of a line starting at the most eastern end of Otter Point, Mount Desert Island continuing SE (135°) to the three mile limit at Latitude 44 16.080 N Longitude 68 07.919 W.

Western boundary: North and East of a line starting at Bass Harbor Head Light then in a southeast direction to the most easterly point on the eastern head of Great Gott Island continuing on True South to the three mile limit.

(5) Lower Blue Hill Bay/Jericho Bay

Eastern boundary: North and West of a line from the southern most tip of Lopaus Point to the northern most point of Black Island; continuing from the western most tip of Black Island to the northern most tip of Swans Island Head.

Western boundary: North and East of the line from the most southeastern point Of Stinson Neck, Deer Isle; then running to Naskeag Point, Brooklin AND from the southeastern point of Stinson Neck, Deer Isle to the northern most tip of Swan's Island

Head, Swan's Island.

Northern boundary: South of a line drawn from the eastern most point of Harriman Point due East to the southern tip of Hardwood Island, then South to the northern tip of Moose Island, then from the southern tip of Moose Island East to Reed Point, Mount Desert Island.

(6) East Isle Au Haut Bay

Eastern boundary: West of a line from the eastern tip of Coles Head on Whitemore Neck, ~~Deer Isle southwestern tip of Stinson Neck, Deer Isle South~~ to the western most point of Millett Island, then South to Richs Point, Isle Au Haut; then from the southern tip of Eastern Head, Isle au Haut, True South to the three mile limit.

Western boundary: South and East of a line starting at Moose Island, Deer Isle, to the western most point of Farrel Island, then True South to the three mile limit

(7) Mid Penobscot Bay

Northern boundary: South of a line from the most northwestern point of Little Deer Isle to the most northern point of Pickering Island, then to the most eastern tip of Dark Harbor, Islesboro; continuing on from Grindel Point, Islesboro due West to the Sea Urchin Zone line at Latitude Latitude 44 16.913 N Longitude 68 58.508 W.

Southern boundary: North of a line starting at the southern most point of Stinson Point, Deer Isle, West to Mullen Head, North Haven AND North of a line starting at Pulpit Rock, North Haven due West to the Sea Urchin Zone line at Latitude 44 09.551 N Longitude 69 01.510 W.

C Third Rotation

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas, except for the 2012-13 fishing season, the 2013-14 fishing season, the 2015-16 fishing season, the 2018-19 fishing season and the 2021-22 fishing season. All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

Any vessel possessing scallops onboard, may transit these closed areas, only if the vessel has all fishing gear (dredges, drags) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

(1) Machias Area

North and East of a line starting at Bucks Head, Machiasport proceeding east to the southern end of Northwest Head on Cross Island then due South to the three mile limit, and West of a line drawn due south from Great Head, Cutler to the three mile limit.

(2) Wohoa/Western Bay

Eastern boundary: West of the Jonesport Bridge then True South from the most Eastern tip of Little Pond Head to the three mile limit.

Western boundary: North and East of a line starting at the most eastern end of Tibbett Island going due North to the closest point of land on Moose Neck and southeast to the most northern tip of eastern Plummer Island then the most western tip of Toms Island; then True South to the three mile limit.

(3) Gouldsboro/Dyer Bay

Eastern boundary: South and West of a line starting at the most southern tip of Petit Manan to EB gong. then South to the northern most tip of Green Island; then from the southeastern top of Green Island to the northern tip of Petit Manan Island; then from the southern tip of Petit Manan Island to N"2"; then to G"1" bell; then True South to the three mile limit.

Western boundary: North and East of a line starting from the southern most tip of Schoodic Point Magnetic South to the three mile limit (western boundary of the Zone A lobster management zone).

(4) Upper Blue Hill Bay/Union River

North of a line from Eastern most point of Harriman Point due East to the southern tip of Hardwood Island, then South to the northern tip of Moose

Island: then from the southern tip of Moose Island East to Reed Point, Mount Desert Island.

(5) Lower Jericho Bay

Northern boundary: South and east of a line from the southeastern point of Stinson Neck, Deer Isle to the southeastern point of Naskeag Point, Brooklin; continuing southeast to the northern most tip of Swan's Island Head, Swan's Island.

Eastern boundary: North and West of a line from northern most tip of Swans Island Head; continuing South from West Point, Swans Island to Long Point, Marshall Island; then West of a line from the southern most tip of Lower Head, Marshall Island running True South to the three mile limit.

Western boundary: East and south of a line from the southwestern tip of Stinson Neck, Deer Isle west to the eastern tip of Coles Head on Whitemore Neck, Deer Isle; then south to the western most point of Millett Island, then South to Richs Point, Isle Au Haut; then from the southern tip of Eastern Head, Isle au Haut, True South to the three mile limit.

(6) Eggmoggin Reach/Southeast Harbor

Eastern boundary: North and West of a line from the most southeastern point of Stinson Neck, Deer Isle then running to Naskeag Point, Brooklin AND North of a line starting at the most southwestern tip of Stinson Neck, Deer Island running to Coles Point on Whitmore Neck, Deer Island; this includes all of Southeast Harbor.

Western boundary: South and West of the Deer Isle Bridge.

(7) Lower Penobscot Bay & Outer Islands

Northern/Western boundary: South of a line starting at Pulpit Rock, North Haven due West to the Sea Urchin Zone line at Latitude 44 09.551 N Longitude 69 01.510 W and continuing south along the Sea Urchin Zone line to the three mile limit, encompassing the territorial waters around all the outer islands of Penobscot Bay including Little Green Island, Large Green Island, Matinicus Island, Ragged Island, Wooden Ball Island, Seal Island and Matinicus Rock.

Eastern boundary: West of a line starting at Calder Wood Point, North Haven to Fish Point, North Haven; then West of a line from the southern most point of Lane Island, Vinalhaven, True South to the three mile limit.

11.22 Targeted Closures

Targeted closures are imposed as conservation measures to assist in rebuilding specific areas of the state. Targeted closures may be implemented based on depletion, seed, the presence of spat-producing scallops, and other conservation factors as determined by the Commissioner. Targeted closures are not seasonal closures and are implemented in order to improve and enhance the conservation and rebuilding of the resource in these specific areas.

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas, except for ~~Musset~~ Muscle Ridge (61) which shall be open to diving on ~~Wednesdays and Thursdays~~ and Fridays and shall be open to dragging on ~~Mondays and Tuesdays~~ and Wednesdays, in accordance with the dates specified in section 11.09. All directions are relative to True North (not magnetic).

Transiting exception:

Any vessel possessing scallops onboard, may transit these targeted closures only if the vessel has all fishing gear (dredges, drags, regulators, buoyancy compensators, fins, tanks, weight belts) securely stowed. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch for draggers, while regulators, buoyancy compensators and tanks should be disconnected with fins and weight belts removed for divers.

(1) Muscle Ridge (Open Tuesdays and Wednesdays to draggers. Open Thursdays and Fridays to divers.)

Eastern boundary: West and South of a line drawn from the most eastern tip of Ash Point, South Thomaston at Latitude 44° 02.805 N Longitude 069° 04.393 W to RW "PA" Mo (A) GONG; then continuing southwest to the northern tip of Two Bush Island.

Western boundary: North of a line starting at the northern end of the Rackliff Island causeway then following the shore to the most southern point of Rackliff Island continuing to the most southern point of Norton Island and then continuing to the most southern point of Whitehead Island then to the southern end of Two Bush Island.

~~This section Chapter 11.22 (1) sunsets May 1, 2015.~~

(2) Lower Muscle Ridge

Northern boundary: East and South of a line beginning at the most eastern tip of Whitehead Island, St. George, to the southern tip of Seal Island (Hay Ledges) continuing to the most southwestern point of Graffam Island, then continuing to the southwestern point of Pleasant Island and continuing in a southeasterly direction to the northeastern tip of Two Bush Island.

Southern boundary: North of a line starting at the most southern point of Whitehead Island, St. George, to the southern end of Two Bush Island.

~~This section Chapter 11.22 (9) (2) sunsets May 1, 2017.~~

(3) Damariscotta River

North of a line drawn from Emerson Point at the southern most tip of Ocean Point in the town of Boothbay, easterly to Thrumcap Island, then northerly to the southern tip of Rutherford Island, South Bristol.

~~This section Chapter 11.22 (3) sunsets May 1, 2015.~~

(4) Ocean Point

West of a line drawn from Emerson Point, at the southern most tip of Ocean Point, Boothbay at Latitude 43° 48.852 N Longitude 069° 35.454 W, to the most northern tip of Fisherman Island, then continuing to R N "8" AND East of a line draw from R N "8" to the most southwestern tip of Ocean Point at Latitude 43° 48.874 N Longitude 069° 36.332 W.

~~This section Chapter 11.22 (4) sunsets May 1, 2017.~~

(5) Eastern Casco Bay

Eastern boundary: West and North of a line drawn from the most southern tip of Gun Point, Harpswell, to G "3", South of Round Rock; continuing in a southwesterly direction to R N "4" at Drunkers Ledges.

Western boundary: East and North of a line draw from R N "4" at Drunkers Ledges to the most southern tip of Jaquish Island; then east of a line from the most northwestern tip of Jaquish Island at Latitude 43° 42.950N Longitude 70° 00.137W to the most southeastern tip of land along Jaquish Gut at Latitude 43° 43.043N Longitude 70° 00.128W.

~~This section Chapter 11.22 (5) sunsets May 1, 2015.~~

(6) South Portland Harbor

Northern boundary: South of a line drawn from the northern tip of the breakwater on Spring Point, South Portland to the southwestern tip of Fort Scammer Island.

Eastern boundary: West of a line drawn from the southwestern tip of House Island, Portland to the westernmost tip of Cushing Island, Portland, then following the shoreline in a southerly direction to the southwestern most tip of Cushing Island.

Southern boundary: North of a line drawn from the southwestern most tip of Cushing Island to the northeastern most tip of land on the north shore of Shop Cove, South Portland.

(7) Lower Broad Sound

Northern boundary: South of a line drawn from the northern tip of the Bates Island, Cumberland to the northern tip of Eagle Island, Harpswell.

Eastern boundary: West of a line drawn from the southern tip of Eagle Island, Harpswell to West Brown Cow Island, Cumberland.

Southern boundary: North of a line drawn from the western tip of West Brown Cow Island, Cumberland to the eastern most tip of Cliff Island, Cumberland.

Western boundary: East of a line drawn from the eastern most tip of Cliff island, Cumberland to the southernmost tip of Bates Island, Cumberland

(8) Sheepscot River

Eastern boundary: West and North of the Townsend Gut Bridge connecting Southport Island and West Boothbay Harbor.

Western boundary: East of a line drawn from the most southern tip of Hockomock Point, Woolwich to the most northern tip of Mill Point, Arrowsic Island, and following the shoreline to the Arrowsic Island-Georgetown Island bridge, and then continuing along the northern coastline to the northeast tip of Dry Point, Georgetown Island.

Southern boundary: North of a line drawn from the southernmost tip of Cape Newagen, Southport Island, to the eastern tip of Outer Head Island, Georgetown Island, then following the southern shoreline to the most southwestern tip of Outer Head Island, then a line drawn due west to the nearest point of land on Griffith Head, Georgetown Island.

(9) Muscongus Bay:

North and east of a line beginning at the intersection of Latitude 43° 55' N on Pemaquid Neck (just north of Brown's Cove, Bristol), and following this latitude to its intersection on the eastern side of Hupper Island, Port Clyde, then to the southern tip of Marshall Point.

(10) Moosabec Reach

Eastern boundary: West of the Jonesport Bridge.

Western boundary: East of a line drawn from the most western tip of Macks Point, located north of Mill Pond cove, Beals to the end of the dock on Lobster Lane, Jonesport.

(11) Inner Harbor/Deep Hole Closure

West of a line drawn from the most western point of Whitmore Neck, Deer Isle due True North to the South shore of Mountainville, Deer Isle at Latitude 44° 12.407 N Longitude 068° 38.819 W.

11.24 Trigger Mechanism

The Commissioner may close any portion of Maine's territorial waters to harvesting for the remainder of the season through emergency rulemaking if the Department has information that indicates there is a likelihood that between 30 percent and 40 percent of the harvestable biomass has been removed. Such closures are established for conservation purposes, to protect the resource from unusual damage or imminent depletion.

Insert this Zone One (1) DRAG calendar as if underlined (at the end of Ch. 11):

2015 - 2016 Scallop Season Calendar

Zone One (1)

60 Day DRAG Season (15 gallons)

O Zone 1 Limited Access Areas Draggers **O** Open Closed

December 2015						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15 O	16 O	17 O	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

9

January 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7 O	8	9
10	11 O	12 O	13 O	14 O	15	16
17	18 O	19 O	20 O	21 O	22	23
24	25 O	26 O	27 O	28 O	29	30
31						

16

February 2016						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4 O	5	6
7	8 O	9 O	10 O	11 O	12	13
14	15 O	16 O	17 O	18 O	19	20
21	22 O	23 O	24 O	25 O	26	27
28	29 O					

17

March 2016						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

14

April 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

4

**Muscle Ridge: OPEN Tuesdays
& Wednesdays to DRAGGERS**

Total Days
60

Total Limited Access Areas Days
15

Total Weeks
18

Insert this Zone Two (2) DRAG calendar as if underlined (at the end of Ch. 11):

2015 - 2016 Scallop Season Calendar

Zone Two (2)

70 Day DRAG Season (15 gallons)

Open Closed

December 2015						
S	M	Tu	W	Th	F	S
		1 O	2 O	3 O	4	5
6	7 O	8 O	9 O	10 O	11	12
13	14 O	15 O	16 O	17 O	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

17

January 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7 O	8	9
10	11 O	12 O	13 O	14 O	15	16
17	18 O	19 O	20 O	21 O	22	23
24	25 O	26 O	27 O	28 O	29	30
31						

16

February 2016						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4 O	5	6
7	8 O	9 O	10 O	11 O	12	13
14	15 O	16 O	17 O	18 O	19	20
21	22 O	23 O	24 O	25 O	26	27
28	29 O					

17

March 2016						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

14

April 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

6

Total Days
70

Total Weeks
20

Insert this Zone Three (3) DRAG calendar as if underlined (at the end of Ch. 11):

2015 - 2016 Scallop Season Calendar

Zone Three (3)

50 Day DRAG Season (10 gallons)

O Zone 3 Limited Access Areas Draggers **O** Open Closed

December 2015						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17	18	19
20	21 O	22 O	23 O	24	25	26
27	28 O	29 O	30 O	31		

14

January 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4 O	5 O	6 O	7	8	9
10	11 O	12 O	13 O	14	15	16
17	18 O	19 O	20 O	21	22	23
24	25 O	26 O	27 O	28	29	30
31						

12

February 2016						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4	5	6
7	8 O	9 O	10 O	11	12	13
14	15 O	16 O	17 O	18	19	20
21	22 O	23 O	24 O	25	26	27
28	29 O					

13

March 2016						
S	M	Tu	W	Th	F	S
		1 O	2 O	3	4	5
6	7 O	8 O	9 O	10	11	12
13	14 O	15 O	16 O	17	18	19
20	21 O	22 O	23 O	24	25	26
27	28	29	30	31		

11

April 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

0

Total Days
50

Total Limited Access Areas Days
17

Total Weeks
17

Strike this Zone One (1) and Zone Two (2) DRAG calendar (at the end of Ch. 11):

2014 - 2015 Scallop Season Calendar

Zone One (1) & Two (2)

70 Day DRAG Season (15 gallons)

O Zone 1 Limited Access Areas Draggers O Open Closed

December 2014						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4 O	5	6
7	8 O	9 O	10 O	11 O	12	13
14	15 O	16 O	17 O	18 O	19	20
21	22 O	23 O	24	25	26 O	27
28	29 O	30 O	31			

17

January 2015						
S	M	Tu	W	Th	F	S
				1	2 O	3
4	5 O	6 O	7 O	8 O	9	10
11	12 O	13 O	14 O	15 O	16	17
18	19 O	20 O	21 O	22 O	23	24
25	26 O	27 O	28 O	29 O	30	31

17

February 2015						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5 O	6	7
8	9 O	10 O	11 O	12 O	13	14
15	16 O	17 O	18 O	19 O	20	21
22	23 O	24 O	25 O	26 O	27	28

16

March 2015						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5	6	7
8	9 O	10 O	11 O	12	13	14
15	16 O	17 O	18 O	19	20	21
22	23 O	24 O	25 O	26	27	28
29	30 O	31 O				

14

April 2015						
S	M	Tu	W	Th	F	S
			1 O	2 O	3	4
5	6 O	7 O	8 O	9 O	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

6

*** Limited Access Areas for Zone 1 only.**

Total Days
70

Total Limited Access Areas Days
14

Total Weeks
20

Strike this Zone Three (3) DRAG calendar at the end of Ch.11

2014 - 2015 Scallop Season Calendar

Zone Three (3) (Cobscook)

50 Day DRAG Season (10 gallons)

O Limited Access Areas Draggers

O Open

Closed

December 2014						
S	M	Tu	W	Th	F	S
	1 O	2 O	3 O	4	5	6
7	8 O	9 O	10 O	11	12	13
14	15 O	16 O	17 O	18	19	20
21	22 O	23 O	24	25	26 O	27
28	29 O	30 O	31			

14

January 2015						
S	M	Tu	W	Th	F	S
				1	2 O	3
4	5 O	6 O	7 O	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26 O	27 O	28 O	29	30	31

7

February 2015						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5	6	7
8	9 O	10 O	11 O	12	13	14
15	16 O	17 O	18 O	19	20	21
22	23 O	24 O	25 O	26	27	28

12

March 2015						
S	M	Tu	W	Th	F	S
1	2 O	3 O	4 O	5	6	7
8	9 O	10 O	11 O	12	13	14
15	16 O	17 O	18 O	19	20	21
22	23 O	24 O	25 O	26	27	28
29	30 O	31 O				

14

April 2015						
S	M	Tu	W	Th	F	S
			1 O	2	3	4
5	6 O	7 O	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

3

Total Days
50

Total Limited Access Areas Days
14

Total Weeks
17

Insert this Zone One (1) DIVE calendar as if underlined (at the end of Ch. 11)

2015 - 2016 Scallop Season Calendar

Zone One (1)

60 Day DIVE Season (15 gallons)

Zone 1 Limited Access Areas Divers

Open

Closed

December 2015						
S	M	Tu	W	Th	F	S
		1 O	2 O	3 O	4 O	5 O
6	7	8 O	9 O	10 O	11 O	12 O
13	14	15 O	16 O	17 O	18 O	19 O
20	21 O	22 O	23 O	24	25	26 O
27	28 O	29 O	30 O	31		

22

January 2016						
S	M	Tu	W	Th	F	S
					1	2 O
3	4	5	6 O	7 O	8 O	9 O
10	11	12	13 O	14 O	15 O	16 O
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

9

February 2016						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

0

March 2016						
S	M	Tu	W	Th	F	S
		1	2 O	3 O	4 O	5 O
6	7	8	9 O	10 O	11 O	12 O
13	14	15	16 O	17 O	18 O	19 O
20	21	22	23 O	24 O	25 O	26 O
27	28	29	30 O	31 O		

18

April 2016						
S	M	Tu	W	Th	F	S
					1 O	2 O
3	4	5 O	6 O	7 O	8 O	9 O
10	11	12 O	13 O	14 O	15 O	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

11

Muscle Ridge: OPEN Thursdays & Fridays to DIVERS

Total Days
60

Total Limited Access Areas Days
15

Total Weeks
15

Insert this Zone Two (2) DIVE calendar as if underlined (at the end of Ch. 11):

2015 - 2016 Scallop Season Calendar

Zone Two (2)

70 Day DIVE Season (15 gallons)

Open Closed

December 2015						
S	M	Tu	W	Th	F	S
		1 O	2 O	3 O	4 O	5 O
6	7	8 O	9 O	10 O	11 O	12 O
13	14	15 O	16 O	17 O	18 O	19 O
20	21 O	22 O	23 O	24	25	26 O
27	28 O	29 O	30 O	31		

20

January 2016						
S	M	Tu	W	Th	F	S
					1	2 O
3	4	5	6 O	7 O	8 O	9 O
10	11	12	13 O	14 O	15 O	16 O
17	18	19	20	21 O	22 O	23
24	25	26	27	28 O	29 O	30
31						

13

February 2016						
S	M	Tu	W	Th	F	S
	1	2	3	4 O	5 O	6
7	8 O	9 O	10 O	11 O	12 O	13 O
14	15	16	17	18 O	19 O	20
21	22	23	24	25 O	26 O	27
28	29					

12

March 2016						
S	M	Tu	W	Th	F	S
		1	2	3 O	4 O	5 O
6	7	8	9	10 O	11 O	12 O
13	14	15	16 O	17 O	18 O	19 O
20	21	22	23 O	24 O	25 O	26 O
27	28	29	30 O	31 O		

16

April 2016						
S	M	Tu	W	Th	F	S
					1 O	2 O
3	4	5	6 O	7 O	8 O	9 O
10	11	12	13 O	14 O	15 O	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

9

Total Days
70

Total Weeks
20

Insert this Zone Three (3) DIVE calendar as if underlined (at the end of Ch. 11):

2015 - 2016 Scallop Season Calendar

Zone Three (3)

50 Day DIVE Season (10 gallons)

Zone 3 Limited Access Areas Divers
 Open
 Closed

December 2015						
S	M	Tu	W	Th	F	S
		1	2	3 O	4 O	5
6	7	8	9	10 O	11 O	12
13	14	15	16	17 O	18 O	19
20	21	22 O	23 O	24	25	26 O
27	28	29 O	30 O	31		

14

January 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6 O	7 O	8 O	9
10	11	12	13 O	14 O	15 O	16
17	18	19	20 O	21 O	22 O	23
24	25	26	27 O	28 O	29 O	30
31						

12

February 2016						
S	M	Tu	W	Th	F	S
	1	2	3 O	4 O	5 O	6
7	8	9	10 O	11 O	12 O	13
14	15	16	17 O	18 O	19 O	20
21	22	23	24 O	25 O	26 O	27
28	29					

12

March 2016						
S	M	Tu	W	Th	F	S
		1	2	3 O	4 O	5
6	7	8	9	10 O	11 O	12
13	14	15	16	17 O	18 O	19
20	21	22	23	24 O	25 O	26
27	28	29	30	31		

12

April 2016						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

0

Total Days
50

Total Limited Access Areas Days
17

Total Weeks
17

Strike this Zone One (1) and Zone Two (2) DIVE calendar (at the end of Ch. 11):

2014 - 2015 Scallop Season Calendar

Zone One (1) & Two (2)

70 Day DIVE Season (15 gallons)

Zone 1 Limited Access Areas Divers
 Open
 Closed

December 2014						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
			O	O	O	O
7	8	9	10	11	12	13
			O	O	O	O
14	15	16	17	18	19	20
			O	O	O	O
21	22	23	24	25	26	27
	O	O			O	O
28	29	30	31			
	O	O				

18

January 2015						
S	M	Tu	W	Th	F	S
				1	2	3
					O	O
4	5	6	7	8	9	10
				O	O	O
11	12	13	14	15	16	17
				O	O	O
18	19	20	21	22	23	24
				O	O	O
25	26	27	28	29	30	31
				O	O	O

14

February 2015						
S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7
				O	O	O
8	9	10	11	12	13	14
				O	O	O
15	16	17	18	19	20	21
				O	O	O
22	23	24	25	26	27	28
				O	O	O

12

March 2015						
S	M	Tu	W	Th	F	S
1	2	3	4	5	6	7
			O	O	O	O
8	9	10	11	12	13	14
			O	O	O	O
15	16	17	18	19	20	21
			O	O	O	O
22	23	24	25	26	27	28
			O	O	O	O
29	30	31				

16

April 2015						
S	M	Tu	W	Th	F	S
			1	2	3	4
			O	O	O	O
5	6	7	8	9	10	11
			O	O	O	O
12	13	14	15	16	17	18
		O	O			
19	20	21	22	23	24	25
26	27	28	29	30		

10

*** Limited Access Areas for Zone 1 only.**

Total Days
70

Total Limited Access Areas Days
15

Total Weeks
20

Strike this Zone Three (3) DIVE calendar at the end of Ch.11

2014 - 2015 Scallop Season Calendar

Zone Three (3) (Cobscook)

50 Day DIVE Season (10 gallons)

Limited Access Areas Divers

Open

Closed

December 2014						
S	M	Tu	W	Th	F	S
	1	2	3	4 O	5 O	6 O
7	8	9	10	11 O	12 O	13 O
14	15	16	17	18 O	19 O	20 O
21	22	23 O	24	25	26 O	27 O
28	29	30 O	31			

13

January 2015						
S	M	Tu	W	Th	F	S
				1	2 O	3
4	5	6	7 O	8 O	9 O	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28 O	29 O	30 O	31

7

February 2015						
S	M	Tu	W	Th	F	S
1	2	3	4 O	5 O	6 O	7
8	9	10	11 O	12 O	13 O	14
15	16	17	18 O	19 O	20 O	21
22	23	24	25 O	26 O	27 O	28

12

March 2015						
S	M	Tu	W	Th	F	S
1	2	3	4	5 O	6 O	7 O
8	9	10	11	12 O	13 O	14 O
15	16	17	18	19 O	20 O	21 O
22	23	24	25	26 O	27 O	28 O
29	30	31				

12

April 2015						
S	M	Tu	W	Th	F	S
			1	2 O	3 O	4 O
5	6	7	8	9 O	10 O	11 O
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

6

Total Days
50

Total Limited Access Areas Days
17

Total Weeks
17

Basis Statement

Chapter 11 Atlantic Sea Scallop Regulations and 2015-2016 Harvesting Season

This rulemaking is necessary to establish the 2015-2016 scallop season. The Department is adopting a 15 gallon daily limit and a 60-day season in Zone 1. This is a 10-day reduction from 2014-2015. Several targeted closures are also proposed for Zone 1, reflecting the need for further conservation measures to assist in rebuilding in this area of the state based on the recent spring survey information. Fifteen days are proposed in the Zone 1 Limited Access Areas for divers and draggers. For Zone 2, the Department is adopting 15 gallon daily limit and a 70-day season. In Zone 3, a 50-day season is established and 17 potential days in the Whiting & Dennys Bays Limited Access Area.

While the resource may not be able to accommodate the full 70-day season, the SAC and the majority of the industry prefer to have the opportunity of fishing as many of the 70 days as possible given the many foul weather days in January and February that prevent industry members from safely accessing the resource. DMR will use emergency rulemaking authority to close areas in order to protect the scallop resource if unusual damage and/or imminent depletion become evident.

In addition, the DMR is implementing a number of targeted closures based on depletion, seed, and the presence of spat-producing scallops which include Eastern Casco Bay, Damariscotta River, Ocean Point, Muscle Ridge (open two days per week), Lower Muscle Ridge, South Portland Harbor, Lower Broad Sound (Casco Bay), Sheepscot River and Muscongus Bay.

Finally, the rule reorganizes the chapter to clarify the distinction between the statutory limits of the scallop season, open days, and the in-season closures of specific areas which are implemented in order to prevent unusual damage or imminent depletion of the resource.

**Summary of Comments
(see separate document)**

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 11 Atlantic Sea Scallop Regulations and 2015-2016 Harvesting Season

STATUTORY AUTHORITY: 12 M.R.S. §6171; §6722

DATE AND PLACE OF PUBLIC HEARINGS:

September 15, 2015, 6:00 PM, DMR Conference Room, Marquardt Building, 32 Blossom Lane, Augusta

September 16, 2015, 6:00 PM, Ellsworth City Hall Auditorium, One City Hall Plaza, Ellsworth

September 17, 2015, 6:00 PM, University of Maine-Machias, Science Building Room 102, Machias

DEADLINE FOR COMMENTS: September 27, 2015

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

This rulemaking is necessary to establish the 2015-2016 scallop season. The Department advanced the SAC recommendation which includes a 15 gallon daily limit and a 60-day season in Zone 1. This is a 10-day reduction from 2014-2015. Several targeted closures were also proposed for Zone 1, reflecting the need for further conservation measures to assist in rebuilding in this area of the state based on the recent spring survey information. Fifteen days were proposed in the Zone 1 Limited Access Areas for divers and dragners. For Zone 2, the SAC recommended a 15 gallon daily limit and a 70-day season. In Zone 3, a 50-day season was proposed and 17 potential days in the Whiting & Dennys Bays Limited Access Area.

While the resource may not be able to accommodate the full 70-day season, the SAC and the majority of the industry prefer to have the opportunity of fishing as many of the 70 days as possible given the many foul weather days in January and February that prevent industry members from safely accessing the resource. DMR will use emergency rulemaking authority to close areas in order to protect the scallop resource if unusual damage and/or imminent depletion become evident.

In addition, the DMR is proposing to implement a number of targeted closures based on depletion, seed, and the presence of spat-producing scallops which include Eastern Casco Bay, Damariscotta River, Ocean Point, Muscle Ridge (open two days per week), Lower Muscle Ridge, South Portland Harbor, Lower Broad Sound (Casco Bay), Sheepscot River and Muscongus Bay.

Finally, the proposed rule reorganizes the chapter to clarify the distinction between the statutory limits of the scallop season, open days, and the in-season closures of specific areas which are implemented in order to prevent unusual damage or imminent depletion of the resource.

Based upon comments received during the proposed rulemaking process, the Department has changed the following items in the adoption documents:

- The Inner Harbor/Deep Hole area has been added as a Targeted Closure.
- A minor change to the boundaries of the Lower Jericho Bay, Lower Blue Hill Bay/Jericho Bay and East Isle Au Haut Rotational Areas.
- Removal of the reference to survey language for the implementation of Targeted Closures.
- Two Saturday Limited Access Area days were moved to from January to March in the Zone 1 dive calendar.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The 2015-2016 season follows a similar pattern of the 2014-15 season with a daily possession limit for Zone 1 of 15 gallons with a 60-day season, Zone 2 of a 15 gallon daily limit with a 70-day season while Zone 3 would have a 10-gallon daily limit with a 50-day season. For Zone 1, a 60-day season is set for dragners to start on December 15, 2015 with fishing prohibited on Thursdays, Fridays, Saturdays and Sundays in December, March and April. December 17, 2015 is open. Scallop fishing by Zone 1 dragners in the months of January and February would be prohibited on Fridays, Saturdays and Sundays. The

proposed last day of the Zone 1 drag season is April 11, 2016. For Zone 1, a 60-day season is set for divers to start on December 1, 2015 with fishing prohibited on Sundays, Mondays and Tuesdays. December 24, 25 and 31, 2015 would be closed and December 1, 8, 15, 21, 22, 28 and 29, 2015 would be open. Scallop fishing by Zone 1 divers in the months of January and February would be prohibited. January 2, 6, 7, 8, 9, 13, 14, 15, and 16, 2016 are open. The proposed last day of the Zone 1 dive season is April 15, 2016. For Zone 2, a 70-day season is set for dragners to start on December 1, 2015 with fishing prohibited on Fridays, Saturdays and Sundays in December, January, and February. December 24 and 31, 2015 would be closed. Scallop fishing by Zone 2 dragners in the months of March and April would be prohibited on Thursdays, Fridays, Saturdays and Sundays. The proposed last day of the Zone 2 drag season is April 13, 2016. For Zone 2, a 70-day season is set for divers to start on December 1, 2015 with fishing prohibited on Sundays, Mondays and Tuesdays. December 24, 25 and 31, 2015 would be closed and December 1, 21, 22, 28, 29 and 30, 2015 would be open. January 1, 20, 23, 27 and 30, 2016 would be closed. February 3, 6, 17, 20, 24 and 27 shall be closed and February 8 and 9, 2016 shall be open. March 16, 23 and 30, 2016 shall be open. The proposed last day of the Zone 1 dive season is April 15, 2016. For Zone 3, a 50-day season is set for dragners to start on December 1, 2015, with fishing prohibited on Thursdays, Fridays, Saturdays and Sundays. The last day of the Zone 3 drag season is March 23, 2016. For Zone 3, a 50-day season is set for divers to start on December 3, 2015 with fishing prohibited on Sundays, Mondays, Tuesdays and Wednesdays. December 22, 23, 29 and 30, 2015 would be open and December 24, 25 and 31, 2015 would be closed. The last day of the Zone 3 dive season is March 26, 2016.

FISCAL IMPACT OF THE RULE:

Enforcement of these proposed amendments would not require additional activity in this Agency. Existing enforcement personnel will monitor compliance during their routine patrols.