

**Notice of Agency Rule-making Proposal**

AGENCY: 13-188-Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 11 Scallops; 2024-2025 Season

TYPE OF RULE (*check one*):         Routine Technical         Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

**BRIEF SUMMARY:**

This proposed rule-making establishes the 2024-2025 scallop fishing season for Zones 1, 2, and 3. A 60 day season is proposed for Zone 1, a 70 day season is proposed for Zone 2, and a 50 day season is proposed for Zone 3. Daily possession limits of 15 gallons for Zone 1 and Zone 2, and 10 gallons for Zone 3 remain unchanged. Limited Access Areas for 2024-2025 are identified in the proposed rule. Harvesting of scallops by hand (diving) is restricted to Rotation B (Second) only for the 2024-2025 season. Harvesting for scallops by dredge gear is restricted to Rotation C (Third) only for the 2023-2024 season. Rotation A is closed to all harvest.

Date, time and location of PUBLIC HEARING (*if any*): September 23, 2024 at 5:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

COMMENT DEADLINE: October 4, 2024

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CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (*if different*): Same

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (*if any*): None

STATUTORY AUTHORITY FOR THIS RULE: §6171

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): Same

AGENCY WEBSITE: <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [dmr.rulemaking@maine.gov](mailto:dmr.rulemaking@maine.gov)

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\* *Check one of the following two boxes.*

*The summary provided above is for publication in both the newspaper and website notices.*

*The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rule-making notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.*

#### DETAILED SUMMARY FOR NOTICES ON THE SOS WEBSITE:

This proposed rule-making establishes the 2024-2025 scallop fishing season. Daily possession limits of 15 gallons for Zone 1 and Zone 2, and 10 gallons for Zone 3 remain unchanged. For Zone 1, a 60-day season for draggers would begin on December 9, 2024 and the last day of the season would be March 20, 2025. For Zone 1, a 60-day season for divers would start on December 3, 2024 and the last day of the season would be April 26, 2025. For Zone 2, a 70-day season for draggers would start on December 2, 2024 and the last day of the season would be March 31, 2025. For Zone 2, a 70-day season for divers would start on November 19, 2024 and the last day of the season would be April 12, 2025. For Zone 3, a 50-day season for draggers would begin on December 2, 2024 and the last day of the season would be March 25, 2025. For Zone 3, a 50-day season for divers would begin on December 5, 2024 and the last day of the season would be March 29, 2025.

DMR would maintain existing limited access areas: W. Casco Bay, Muscle Ridge, Whiting and Denny's Bays. Additionally, the following existing targeted closures would be maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge. Lower Sheepscot and Damariscotta Rivers in Zone 1 along with Upper Machias Bay, Moosabec Reach and Upper Cranberries in Zone 2 are new proposed targeted closures for recovery and rebuilding. Gouldsboro and Dyers Bay along with Upper Blue Hill Bay are proposed as new limited access areas.

Harvesting of scallops by hand (diving) is restricted to Rotation B (Second) only for the 2024-2025 season. Harvesting for scallops by dredge gear is restricted to Rotation C (Third) only for the 2023-2024 season. Rotation A is closed to all harvest.

# DEPARTMENT OF MARINE RESOURCES

## Chapter 11 Scallops

### 11.01 Definitions

1. Chafing gear or cookies.

Chafing gear or cookies, with respect to the scallop fishery, means steel, rubberized, or other types of donut rings, disks, washers, twine, or other material attached to or between the steel rings of a sea scallop drag or dredge.

2. Drag, dredge, drag gear, or dredge gear.

Drag, dredge, drag gear, or dredge gear, with respect to the scallop fishery, means gear consisting of a mouth frame attached to a holding bag constructed of metal rings, or any other modification to this design, that can be or is used in the harvest of scallops.

3. Drag or dredge bottom.

Drag or dredge bottom, with respect to the scallop fishery, means the rings and links found between the bail of the drag or dredge and the club stick, which, when fishing, would be in contact with the sea bed. This includes the triangular shaped portions of the ring bag commonly known as “diamonds”.

4. Drag or dredge top.

Drag or dredge top, with respect to the scallop fishery, means the mesh panel in the top of a drag or dredge and immediately adjacent rings and link found between the bail of the dredge, the club stick, and the two side panels. The bail of the dredge is the rigid structure of the forward portion of the drag or dredge that connects to the warp and holds the drag or dredge open. The club stick is the rigid bar at the tail of the drag or dredge bag that is attached to the rings.

5. Scallop Management “Zone One (1)” includes all coastal waters West of a line beginning at the easternmost point of Fort Point State Park on Cape Jellison then running southwesterly to channel marker #1 South of Sears Island, then running southwesterly to channel marker RW “II” located between Marshall’s Point and Bayside in the Town of Northport, then running southwesterly to Graves channel marker southeast of the Town of Camden, then running southeasterly to the Penobscot Bay Buoy “PB” East of Rockland Harbor, then running southerly to the TBI whistle southwest of Junken Ledge, then running southeasterly to Red Nun #10 buoy at Foster Ledges, then running due South magnetic to the boundary of the State’s coastal waters to the New Hampshire border.
6. Scallop Management “Zone Two (2)” includes all coastal waters East of the line defined in the preceding subsection 5 for Zone One, including all coastal waters of the Penobscot River North of Fort Point State Park to the Lubec-Campobello Island bridge; and all territorial waters surrounding Machias Seal Island and North Rock.

7. Scallop Management “Zone Three (3)” includes all coastal waters North and East of the Lubec-Campobello Island bridge including all of Cobscook Bay and the St. Croix River inside Maine territorial waters.
8. Commercial Scallop License. A handfishing scallop or handfishing with tender license issued under 12 M.R.S §6701 or a scallop dragging license issued under 12 M.R.S. §6702.

**11.02 Reporting:** See Chapter 8.

### **11.03 Atlantic Sea Scallops Harvesting Season, Closed Days and Rotational Management**

~~A person may not fish for or take scallops by dragging in Maine’s territorial waters from April 16th to November 30th, both days inclusive. A person may not fish for or take scallops except on an open day established in 11.11.~~

1. A person may not fish for or take scallops by dragging in Maine’s territorial waters from April 16th to November 30th, both days inclusive.
2. A person may not fish for or take scallops by diving in Maine’s territorial waters from April 30th to November 14th, both days inclusive.
3. A person may not fish for or take scallops except on an open day as established in 11.11.
4. A person may not fish for or take scallops from a rotational management area in Zone 2, except from an open rotational management area as established in 11.12

### **11.04 Configuration of Scallop Drag**

1. Minimum mesh size.
  - A. Twine top restrictions.

The mesh size of net material on the top of a scallop dredge in use by or in possession of vessels in the Atlantic sea scallop fishery shall not be smaller than 5.5 inches (13.97 cm).

- (1) For vessels rigged with a dredge or dredges, and each individual dredge is greater than 8 ft (2.44 m) in width, there must be at least seven rows of non-overlapping steel rings unobstructed by netting or any other material, between the terminus of the dredge (club stick) and the net material on the top of the dredge (twine top).

- (2) For vessels rigged with a dredge or dredges, and each individual dredge is greater than 3.5 ft (1.07 m) and less than or equal to 8 ft (2.44 m) in width, there must be at least four rows of non-overlapping steel rings unobstructed by netting or any other material, between the club stick and the twine top of the dredge.
- (3) For vessels rigged with a dredge or dredges, and each individual dredge is 3.5 feet (1.07 m) or less in width, there must be at least one row of non-overlapping steel rings unobstructed by netting or any other material, between the club stick and the twine top around the circumference of the top of the dredge. The twine top must be hung on no more than two diamond meshes per ring on the top and bottom and a single diamond mesh per ring on the sides. Alternative designs may be approved by permit from the Commissioner.

B. Measurement of mesh size.

Mesh size is measured by using a wedge-shaped gauge having a taper of 2 cm in 8 cm and a thickness of 2.3 mm, inserted into the meshes under a pressure or pull of 5 kg. The mesh size is the average of the measurements of any series of 20 consecutive meshes for nets having 75 or more meshes, and 10 consecutive meshes for nets having fewer than 75 meshes. The mesh in the regulated portion of the net will be measured at least five meshes away from the lacings running parallel to the long axis of the net.

2. Chafing gear and other gear obstructions.

A. Chafing gear restrictions.

No chafing gear or cookies shall be used on the top of a scallop dredge.

B. Link restrictions.

No more than double links between rings shall be used in or on all parts of the dredge bag, except the dredge bottom. No more than triple linking shall be used in or on the dredge bottom portion and the diamonds. Damaged links that are connected to only one ring, i.e., "hangers", are allowed, unless they occur between two links that both couple the same two rings. Dredge rings may not be attached via links to more than four adjacent rings. Thus, dredge rings must be rigged in a configuration such that, when a series of adjacent rings are held horizontally, the neighboring rings form a pattern of horizontal rows and vertical columns.

C. Dredge or net obstructions.

No material, device, net, dredge, ring, or link configuration or design shall be used if it results in obstructing the release of scallops that would have passed through a legal sized and configured net and dredge, as described in this part, that did not have in use any such material, device, net, dredge, ring, or link configuration or design.

### 3. Minimum Ring Size

A person may not use a drag to fish for or take scallops in the territorial waters with rings that measure less than 4 inches.

## 11.05 Scallop Harvesting Gear Restrictions

### 4. State Waters Drag Size Restriction

It shall be unlawful to possess on any vessel fishing for scallops, or to fish for or take scallops, in Maine's territorial waters:

Any scallop drag or combination of scallop drags that exceed 10 feet 6 inches in width (by measuring from the extreme outside of the mouth of the drag or drags).

### 5. Dragging for Scallops Damariscotta River, Lincoln County

It shall be unlawful to fish for or take scallops in the Damariscotta River with any scallop drag (chain sweep or rock drag) 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 from April 16 to ½ hour after sunset December 31 of each year.

### 6. Scalping in the Frenchboro Cable Area - Hand Scallop Fishing Allowed

- A. It shall be lawful to take scallops by hand, unless prohibited by other statute or regulation in the Frenchboro Cable Area described in 12 M.R.S. §6954-A(1) (hereafter "Frenchboro Cable Area").
- B. It shall be unlawful to operate any watercraft when towing a drag or trawl while taking scallops by hand in the Frenchboro Cable Area.
- C. It shall be unlawful to use a watercraft rigged for dragging while taking or attempting to take scallops by hand in the Frenchboro Cable Area.
- D. It shall be unlawful to possess scallops aboard a watercraft rigged for dragging while taking or attempting to take scallops by hand in the Frenchboro Cable Area.

## 11.06 Municipal Mooring Field Closures

It shall be unlawful to fish for, take, or possess scallops taken by dragging within any of the following closed areas. All directions are relative to True North (not magnetic).

Transiting exception:

A vessel may not transit within the following closed areas with any part of a drag, including the cable, in the water.

1. Inner Blue Hill Harbor

West of a line drawn from the most western point of Sculpin Point, Blue Hill to the closest point of land on Parker Point, Blue Hill Neck.

2. Bartlett Landing

East of a line starting at the town pier 44 20.576 N 068 25.042 W, running south to the northern tip of west point 44 20.274 N 068 25.264 W.

3. Seal Harbor

North of a line starting at the southern end of Crownshield Pt 44 17.286 N 068 14.620 W running in an easterly direction to 44 17.416 N 068 14.180 W.

4. Northeast Harbor

North of a line starting at a private pier on the western side of the Harbor 44 17.244 N 068 16.787 W running in a north easterly direction to the southern tip of land on the eastside of the harbor 44 17.432 N 068 16.583 W.

5. Somes Sound Harbor

North of a line starting at the northern tip of Mason Point 44 21.491 N 068 19.626 W then running in a southeasterly direction to the southern tip of Squantum Point 44 21.425 N 068 19.311 W.

6. Western Blue Hill Bay (Blue Hill)

Inside and westerly of a line beginning at the easternmost point of High Head, Blue Hill, then running northeast to the most eastern tip of Sand Point, Blue Hill.

7. Pennamaquan River

Inside and up river of a line drawn from the Eastern tip of Kelly Point, Pembroke and running in a Northeast direction to GC "11" and then continuing in a direction of true North to Hersey Neck.

8. Sullivan Harbor

Inside and north of a line starting at Edgewater Point, Sullivan, 44 31.214 N 068 12.692 W, continuing in an easterly direction for approximately .6 nm to an unnamed point, 44 31.023 N 068 11.902 W, Sullivan.

## 11.07 Atlantic Sea Scallop Limitations

### 1. 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).

### 2. 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)) until ½ hour before sunrise (as defined in 12 M.R.S. §6001(45)) within Maine's territorial waters.

### 3. 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.

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

#### A. 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.

#### B. Daily Harvest and Possession Limits.

##### (1) Daily Harvest and Possession Limit for Individuals Issued a License under §6702 or 6302-A for scallop dragging

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.

##### (2) Daily Harvest and Possession Limit for Individuals Issued a License under §6701 or 6302-A for scallop diving

It is unlawful for an individual licensed under §6701 or 6302-A for scallop diving 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.



C. Daily Limit Restrictions.

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

5. 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:

- A. The scallop meats were harvested seaward of Maine's territorial waters.
- B. 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.
- C. The amount of scallop meats on board does not exceed the maximum amount authorized by the vessel's Federal Permit.
- D. 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.

**11.08 Targeted Scallop Conservation 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.

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. 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.

2. 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 "2" at Eastern Drunkers Ledge.

Western boundary: East and North of a line draw from R N "2" at Eastern Drunkers Ledge 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.

3. Upper Sheepscot River

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.

Eastern boundary: West of a line drawn at the most northern tip of Soldier Point, Georgetown Island running north to the most southern tip of Westport Island.

Southern boundary: North of a line drawn from the most southern point of Kehail Point running northeasterly to the most southern point of Barbers Island and continuing southeasterly to the most northwestern tip of Sawyer Island.

4. New Meadows River

Southeast boundary: North of a line drawn from the southernmost tip of Birch Point, Phippsburg, to the southernmost tip of Long Island, Harpswell, then continuing along the western coastline to the northern tip of Long Island,

Harpswell, then a line drawn due west to the nearest point of land on Sebascodegan Island, Harpswell.

Southwestern boundary: North of the Route 24 Gurnet Bridge (Harpswell).

5. Card Cove

West of a line drawn from the southeastern most tip of Pinkham Point, Harpswell, in a southwesterly direction to the nearest point of land and to include all of Card Cove, Harpswell.

6. Beals-Jonesport Bridge

Eastern boundary: West of a line drawn from the most eastern tip of Perio Point, Beals to OW Look's wharf, Jonesport.

Western boundary: East of the Jonesport-Beals Bridge.

~~7. Green Island/The Brothers~~

~~Inside a line starting at the southwestern tip of The Brothers Island, running along the southern shore to the northeastern tip of The Brothers Island, then running northeasterly to the green buoy (G"1" Bell), continuing northwest to the red buoy (RN"2"), continuing westerly to the eastern tip of Green Island and running along the north shore of Green Island to the western tip of Green Island, and then running southerly to meet the southwestern tip of The Brothers Island.~~

7. Lower Sheepscot River

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

Northern boundary: South of a line drawn from the most southern point of Kehail Point running northeasterly to the most southern point of Barters Island and continuing southeasterly to the most northwestern tip of Sawyer Island.

Western boundary: East of a line drawn at the most northern tip of Soldier Point, Georgetown Island running north to the most southern tip of Westport Island.

Southern boundary: 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.

8. 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.

9. Moosabec Reach

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.

Eastern boundary: Inside and west of a line starting at the eastern tip of Kelley Point, Jonesport and running southwesterly to the eastern tip of Pig Island; and, continuing southwesterly to the northeastern tip of Great Wass Island.

10. Upper Cranberries

North of a line starting at the southern point of Bass Head; then running northeasterly to the southern tip of Baker Island and continuing along the southern shore to the eastern tip of Baker Island; and running northerly to Otter Point, Mount Desert Island.

11. Upper Machias Bay

North of a line starting at the northeastern point of Bucks Head; then running northeasterly to the western tip of Point Ruth, Cutler.

**11.09 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 December 5, 6, 7, 12, 13, 14, 19, 20, 21, 26 and 27, 2024 in areas 1 and 3 in Zone 1; and, December 6, 7, 13, 14, 20, 21, 27 and 28, 2024, January 4, 11, 18 and 25, 2025, and February 1, 8, 15 and 22, 2025 in area 2 in Zone 3. 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 6, 13, 20 and 27, 2025, February 3, 10, 17 and 24, 2025 and March 3, 10 and 17, 2025 in areas 1 and 3 in Zone 1; December 2, 9, 16, 23 and 30, 2024 in area 4 and 5 in Zone 2; and December 2, 4, 9, 11, 16, 18, 23 and 30, 2024, January 1, 6, 13, 20, and 27, 2025, and February 3, 10, and 17, 2025 in area 2 in Zone 3. 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 divers on December 7, 8, 9, 14, 15, 16, 21, 22, 23, 28 and 29, 2023 in areas 1, 3, 4 and 5 in Zone 1; and, December 9, 16, 23, 30, 2023, January 6, 13, 20, 27, 2024, February 3, 10, 17, 24, 2024 and March 2, 9, 16, 23, 2024 in area 4 in Zone 3. 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 1, 8, 15, 22, 29, 2024, February 5, 12, 19, 26, 2024 and March 4 and 11, 2024 in areas 1, 3, 4 and 5 in Zone 1; and December 4, 11, 18, 26, 2023, January 1, 8, 15, 22, 29, 2024, February 5, 12, 19, 26, 2024 and March 4, 11, 18, 2024 in area 4 in Zone 3. 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 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.

1. Western Casco Bay

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 "2" at Eastern Drunkers Ledge, then continuing to the southeastern tip of Jewell island.

2. Whiting Bay and Denny's Bay Area:

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 Bay.

### 3. Muscle Ridge

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.

### 4. Gouldsboro and Dyers Bay Area

North of a line starting at the eastern most tip of Youngs Point, Corea, continuing to the western most tip of Sheep Island and following the southern shoreline to the eastern most tip of Sheep Island; and then running easterly to the southern tip of Petit Manan Point.

### 5. Upper Blue Hill Bay Area

North of a line starting at the southern most tip of Woods Point, Blue Hill, running southeasterly to the northern most tip of Long Island, then running to the southern tip of Burnt Point, then running northeasterly to the southern tip of Oak Point.

### ~~4. Lower Sheepscot River~~

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

~~Northern boundary: South of a line drawn from the most southern point of Kehail Point running northeasterly to the most southern point of Barbers Island and continuing southeasterly to the most northwestern tip of Sawyer Island.~~

~~Western boundary: East of a line drawn at the most northern tip of Soldier Point, Georgetown Island running north to the most southern tip of Westport Island.~~

~~Southern boundary: 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.~~

### ~~5. 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.~~

## 11.10 Cobscook Bay Limits and Restrictions

### 1. Cobscook Bay.

#### A. Shellstock ratio to meat count.

For the purposes of 12 M.R.S. §6728, one and a half bushels of shellstock shall be equal to one gallon of scallop meat.

#### B. Daily harvest and possession limits.

##### (1) Daily Harvest and Possession Limit for Individuals Issued a License under §6702 or 6302-A for scallop dragging

Except as allowed pursuant to Chapter 11.19(2), it is unlawful to fish for, take or possess more than 10 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 10 gallons of meat per day per vessel.

##### (2) Daily Harvest and Possession Limit for Individuals Issued a License under §6701 or 6302-A for scallop diving

It is unlawful for an individual licensed under §6701 or 6302-A for scallop diving to fish for, take or possess more than 10 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 10 gallons of meat per day.

#### C. Daily limit.

Any vessel which has taken scallops within the restricted area of Cobscook Bay, as defined by 12 M.R.S. §6728(1), may not land scallops and return to fishing for scallops within that restricted area on the same day. It is unlawful to transfer to or receive from another vessel any scallop shellstock or scallop meats.

#### D. Harvester Meat Count

Except as allowed pursuant to Chapter 11.19(2), no vessel or person may take, possess or transfer shucked scallops which measure more than 35 meats per 16 oz. certified measure from or within the Cobscook Bay Restricted Area, as defined by 12 M.R.S. §6728 (1). The meat count shall be measured by selecting small scallop meats from the harvester's catch.

#### E. Limited Access Areas: See Chapter 11.09 (4)

### 2. Non-Cobscook Bay scallops, landing and possession restrictions.

#### C. Possession.

Vessels transiting or landing scallops within the restricted area of Cobscook Bay, as defined by 12 M.R.S. §6728(1), and which have been fishing exclusively outside of the restricted area may possess more than ten gallons of scallop meat or scallops which measure more than 35 meats per 16 oz. certified measure.

D. Landing scallops harvested outside the restricted area, in Cobscook Bay.

Vessels which are transiting or landing in the restricted area and which are in possession of more than ten gallons of scallop meat or scallops measuring more than 35 meats per 16 oz. certified measure, which have been harvested outside the restricted area, may not possess any shellstock and must have all fishing gear (dredges, drags) securely stowed when transiting the restricted area.

### 11.11 Open and Closed Scallop Fishing Days

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 9, 2024 through to March 20, 2025 ~~December 11, 2023 through March 21, 2024~~, both days inclusive, with the following exceptions:

- A. In December 2024 ~~2023~~ fishing is prohibited on Fridays, Saturdays and Sundays, and also ~~Monday, Wednesday~~, December 25, 2024 ~~2023~~, with the exception of Friday, December 27, 2024 ~~29, 2023~~ which will remain open.
- B. In January, February, and March 2025 ~~2024~~, fishing is prohibited on 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 3, 2024 through to April 26, 2025 ~~December 5, 2023 through April 27, 2024~~, both days inclusive, with the following exceptions:

- A. In the month of December 2024 ~~2023~~, fishing is prohibited on Sundays and Mondays, and also Tuesday, December 31, 2024.
- B. Fishing is prohibited in the months of January and February 2025 ~~2024~~.



- E. In the months of March and April ~~2025~~ 2024, fishing is prohibited on Sundays and Mondays.

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 2, 2024 through to March 31, 2025 ~~December 1, 2023 through March 27, 2024~~, both days inclusive, with the following exceptions:

- A. In December ~~2024~~ 2023, fishing is prohibited on Fridays, Saturdays and Sundays, and also Wednesday, December 25, 2024, with the exception of Friday, December 27, 2024 which will remain open. ~~except for Monday, December 25 and Friday, December 29, 2023 which shall remain closed.~~
- B. In January, February, and March ~~2025~~ 2024, fishing is prohibited on Fridays, Saturdays and Sundays, except for Friday, January 3, 2025 which will remain open.

4. Zone 2 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 2 is open November 19, 2024 through to April 12, 2025 ~~November 16, 2023 through April 20, 2024~~, both days inclusive, with the following exceptions:

- A. In the month of November ~~2024~~ 2023, fishing is permitted on days 19, 20, 21, 22, 23, 26, 27, 29 and 30, 2024. ~~16, 17, 18, 21, 22, 24, 25 and 30, 2023.~~ December ~~2024~~ 2023, fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays.
- B. In the months of January, February, and March 2025 ~~and April 2024~~ fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays. April 2025, fishing is prohibited on Sundays and Mondays.

5. Zone 2 State Waters season

The Atlantic Sea Scallop harvesting season in Maine's territorial waters around Machias Seal Island and North Rock is open December 1, ~~2024~~ 2023 through March 31, 2025 ~~31, 2024~~, both days inclusive.

6. Zone 3 season for draggers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 3 is open December 2, 2024 through to March 26, 2025 ~~December 4, 2023 through March 27, 2024~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the month of December 2024 ~~2023~~, and also ~~Monday~~ Wednesday, December 25, 2024. ~~2023~~.
- B. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the months of January, February and March 2025. ~~2024~~.

7. Zone 3 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 3 is open December 5, 2024 through to March 29, 2024 ~~December 7, 2023 through March 30, 2024~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the month of December 2024 ~~2023~~ and also Thursday, December 26, 2024. ~~28, 2023~~.
- B. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of January, February and March 2025. ~~2024~~.

### 11.12 Rotational Management Plan

~~All areas in the First Rotation as described in 11.12(1)(A) are open to all individuals issued a license under §6702 or 6302-A for scallop dragging only.~~

~~All areas in the Second Rotation as described in 11.12(1)(B) are closed to harvest during the 2023-2024 scallop season.~~

~~All areas in the Third Rotation as described in 11.12(1)(C) are open to individuals issued a license under §6701 or 6302-A for scallop diving only.~~

All areas in the First Rotation as described in 11.12(1)(A) are closed to harvest during the 2024-2025 scallop season.

All areas in the Second Rotation as described in 11.12(1)(B) are open to all individuals issued a license under §6701 or 6302-A for scallop diving only.

All areas in the Third Rotation as described in 11.12(1)(C) are open to individuals issued a license under §6702 or 6302-A for scallop dragging only.

1. Zone Two (2): Eastern Maine

A. First Rotation

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 True 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 to the day board at East Black Rock 'RW Bn', and then 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 True 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 True 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.

(8) Outer Islands (Machias Seal Island and North Rock)

Territorial waters surrounding Machias Seal Island and North Rock.

B. Second Rotation

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 South to the three mile limit.

Western boundary: North and East of a line drawn South from Western 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 to the day board at East Black Rock 'RW Bn', and then 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 True 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 Lopus 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 Naskeag Point, Brooklin 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 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 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.

(8) Outer Islands (Machias Seal Island and North Rock)

Territorial waters surrounding Machias Seal Island and North Rock.

C Third Rotation

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 Western 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 True 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) Eggemoggin 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 Latitude 43 58.279 N Longitude 69 0.249 W at RW "TBI" Mo (A) WHIS, then running southeasterly to meet the three mile limit at intersection Latitude 43 57.629 N Longitude 68 58.991 W.

Eastern boundary: West of a line starting at Calder Wood Point, Vinalhaven 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.

(8) Outer Islands (Machias Seal Island and North Rock)

Territorial waters surrounding Machias Seal Island and North Rock.

### 11.13 Trigger Mechanism

The Commissioner may close any portion of Maine's territorial waters to harvesting 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.

### 11.14 Commercial Scallop License Limited Entry System

1. Limited Entry Procedure:

- A. The Department shall hold two annual lotteries for commercial scallop licenses, provided that the number of licenses to be awarded as determined by the respective exit ratios is greater than zero. One lottery will be held for scallop dragging licenses issued under 12 M.R.S. §6702 and one lottery will be held for handfishing scallop or handfishing with tender license issued under 12 M.R.S §6701.
- B. Eligible individuals wishing to enter either lottery must submit a lottery application that must be received by the Department by the date specified by the Department, for licenses to be issued in the following calendar year.
- C. An individual is eligible to enter either the scallop dragging license lottery or the scallop handfishing or handfishing with tender license lottery, but not both, if they meet the following criteria:
  - a. Is a Maine resident and 18 years of age or older;
  - b. Held in any previous calendar year or currently holds any commercial license issued under 12 M.R.S Part 9, or has in the past or currently is crewing onboard an active commercial scallop vessel;
  - c. Has not been convicted or adjudicated of a marine resources offense that resulted in a license suspension within the last 7 years; and,
  - d. Does not currently possess a license issued under 12 M.R.S. §6701 or §6702.
- D. The number of draws (chances) allotted to each eligible applicant shall be calculated by the Department.
  - a. Each eligible applicant shall be awarded a minimum of one draw.
  - b. Each eligible applicant shall be awarded one additional draw for every consecutive year they enter each lottery.
- E. Before the lotteries are held the Department shall calculate the number of licenses to be awarded for that calendar year, if any.
- F. The Department shall choose individuals to whom licenses will be awarded through a random selection process. The drawing will continue until all available licenses have been awarded.
- G. The Department will verify an applicant's eligibility for the lottery and any additional chances claimed at the time the individual is drawn. If it is determined that the individual misrepresented or falsified any information on their lottery application that drawing shall be void and the Department will draw another individual.
- H. Once a list of winners has been determined, drawing will continue to establish an ordered list of alternates the same length as the list of winners.

## 2. Exit Ratios

- A. Drag Exit/Entry Ratio. Two individuals will be awarded license eligibility for every three individuals who held a commercial scallop drag license in the year prior to the previous calendar year but who did not renew that license in the previous calendar year. One of the licenses issued will go to an individual over the age of 18 and under the age of 31, and one of the licenses will go to an individual 31 years of age or older. If the number of persons who did not renew is greater than, but not evenly divisible by three, it shall be rounded down to the nearest number evenly divisible by three. If the number is rounded down, the non-renewed licenses in excess of that number evenly divisible by three shall be carried over to the next calendar year for consideration in that year's calculation. If the number is either one or two, the number of licenses awarded shall be zero and the one or two non-renewed license shall be carried over to the next year for consideration in that year's calculation. If the number is zero, the number of licenses awarded shall be zero.
- B. Handfishing Exit/Entry Ratio. One person will be awarded license eligibility for every one person who held a commercial scallop dive license in the year prior to the previous calendar year but who did not renew that license in the previous calendar year. If the number is zero, the number of licenses awarded shall be zero.

3. Issuing the Awarded Licenses

- A. Lottery winners will be informed in writing and mailed a license application form by the Department by registered mail. In addition, lottery winners and alternates will be announced on the Department website.
- B. Lottery winners must submit their license application, correctly completed with the correct fees and documentation to the Department within 30 days of receipt of notice, or the winner will lose their license eligibility.
- C. Any license awarded through misrepresentation or misstatement on the license lottery application shall be void.
- D. If the winner has not complied with the requirements within 30 days, the next alternate on the list of alternates will be sent a license application and have 30 days to comply in the same manner.

4. Exit/Entry Ratio Review

- A. At a minimum of every two years, the Department shall consult the Scallop Advisory Council concerning potential adjustments to the lottery system.

Strike this Zone 1 drag calendar page:

<b>PROPOSED CALENDAR</b>
<b>2023-2024 SCALLOP SEASON ZONE 1 DRAG</b>
60 days; 11 LAA days

Zone 1 Limited Access Area
  Open
  Closed

DECEMBER 2023 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

JANUARY 2024 <span style="color: #e67e22;">19 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

FEBRUARY 2024 <span style="color: #e67e22;">17 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				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		

MARCH 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

Strike this Zone 1 dive calendar page:

**PROPOSED CALENDAR**  
**2023-2024 SCALLOP SEASON ZONE 1 DIVE**  
 60 days; 11 LAA days

 Zone 1 Limited Access Area

 Open

 Closed

**NOVEMBER 2023**      **0 Days**

Su	Mo	Tu	We	Th	Fr	Sa
			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		

**DECEMBER 2023**      **20 Days**

Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

**JANUARY 2024**      **0 Days**

Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

**FEBRUARY 2024**      **0 Days**

Su	Mo	Tu	We	Th	Fr	Sa
				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		

**MARCH 2024**      **20 Days**

Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

**APRIL 2024**      **20 Days**

Su	Mo	Tu	We	Th	Fr	Sa
	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				

Strike this Zone 2 drag calendar page:

<b>PROPOSED CALENDAR</b>
<b>2023-2024 SCALLOP SEASON ZONE 2 DRAG</b>
70 days

Open       Closed

DECEMBER 2023      19 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

JANUARY 2024      19 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

FEBRUARY 2024      17 Days						
Su	Mo	Tu	We	Th	Fr	Sa
				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		

MARCH 2024      15 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

Strike this Zone 2 dive calendar page:

<b>PROPOSED CALENDAR</b>
<b>2023-2024 SCALLOP SEASON ZONE 2 DIVE</b>
70 days

Open       Closed

NOVEMBER 2023      8 Days						
Su	Mo	Tu	We	Th	Fr	Sa
			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		

DECEMBER 2023      14 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

JANUARY 2024      12 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

FEBRUARY 2024      13 Days						
Su	Mo	Tu	We	Th	Fr	Sa
				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		

MARCH 2024      14 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

APRIL 2024      9 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	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				

Strike this Zone 3 drag calendar page:

<b>PROPOSED CALENDAR</b>
<b>2023-2024 SCALLOP SEASON ZONE 3 DRAG</b>
50 days; 16 LAA days

Zone 3 Limited Access Area
  Open
  Closed

DECEMBER 2023 <span style="color: #e67e22;">11 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

JANUARY 2024 <span style="color: #e67e22;">15 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

FEBRUARY 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				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		

MARCH 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						



Strike this Zone 3 dive calendar page:

<b>PROPOSED CALENDAR</b>
<b>2023-2024 SCALLOP SEASON ZONE 3 DIVE</b>
50 days; 16 LAA days

Zone 3 Limited Access Area

Open

Closed

DECEMBER 2023 <span style="color: #e67e22;">11 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

JANUARY 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	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	31			

FEBRUARY 2024 <span style="color: #e67e22;">13 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				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		

MARCH 2024 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					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
31						

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 1 DRAG</b>
60 days; 11 LAA days

Zone 1 Limited Access Area
  Open
  Closed

DECEMBER 2024							14 Days
Su	Mo	Tu	We	Th	Fr	Sa	
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	31					

JANUARY 2025							18 Days
Su	Mo	Tu	We	Th	Fr	Sa	
			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	31		

FEBRUARY 2025							16 Days
Su	Mo	Tu	We	Th	Fr	Sa	
						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		

MARCH 2025							12 Days
Su	Mo	Tu	We	Th	Fr	Sa	
						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	31						

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 1 DIVE</b>
60 days; 11 LAA days

Zone 1 Limited Access Area

Open

Closed

<b>NOVEMBER 2024</b>							<b>0 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
					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	

<b>DECEMBER 2024</b>							<b>20 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
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	31					

<b>JANUARY 2025</b>							<b>0 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
			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	31		

<b>FEBRUARY 2025</b>							<b>0 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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		

<b>MARCH 2025</b>							<b>20 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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	31						

<b>APRIL 2025</b>							<b>20 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
		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				

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 2 DRAG</b>
70 days; 5 LAA days

Zone 2 Limited Access Area
  Open
  Closed

<b>DECEMBER 2024</b>							<b>18 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
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	31					

<b>JANUARY 2025</b>							<b>19 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
			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	31		

<b>FEBRUARY 2025</b>							<b>16 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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		

<b>MARCH 2025</b>							<b>17 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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	31						

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 2 DIVE</b>
70 days

Open     Closed

NOVEMBER 2024    9 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					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

DECEMBER 2024    12 Days						
Su	Mo	Tu	We	Th	Fr	Sa
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	31				

JANUARY 2025    14 Days						
Su	Mo	Tu	We	Th	Fr	Sa
			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	31	

FEBRUARY 2025    12 Days						
Su	Mo	Tu	We	Th	Fr	Sa
						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	

MARCH 2025    13 Days						
Su	Mo	Tu	We	Th	Fr	Sa
						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	31					

APRIL 2025    10 Days						
Su	Mo	Tu	We	Th	Fr	Sa
		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			

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 3 DRAG</b>
50 days; 16 LAA days

Zone 3 Limited Access Area
  Open
  Closed

<b>DECEMBER 2024</b>							<b>13 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
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	31					

<b>JANUARY 2025</b>							<b>13 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
			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	31		

<b>FEBRUARY 2025</b>							<b>12 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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		

<b>MARCH 2025</b>							<b>12 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
						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	31						

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

<b>PROPOSED CALENDAR</b>
<b>2024-2025 SCALLOP SEASON ZONE 3 DIVE</b>
50 days; 16 LAA days



Zone 3 Limited Access Area



Open



Closed

DECEMBER 2024							11 Days
Su	Mo	Tu	We	Th	Fr	Sa	
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	31					

JANUARY 2025							14 Days
Su	Mo	Tu	We	Th	Fr	Sa	
			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	31		

FEBRUARY 2025							12 Days
Su	Mo	Tu	We	Th	Fr	Sa	
						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		

MARCH 2025							13 Days
Su	Mo	Tu	We	Th	Fr	Sa	
						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	31						

# Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Deirdre Gilbert, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6553; web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: Chapter 11 Scallops; 2024-2025 Season

STATUTORY AUTHORITY: 12 M.R.S. §6171

Date, time and location of PUBLIC HEARING (*if any*): September 23, 2024 at 5:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

COMMENT DEADLINE: October 4, 2024

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

Scallop regulations must be updated for each new season to adjust the schedules and closure lines based on data from the previous season.

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 proposed rule-making establishes the 2024-2025 scallop fishing season. Daily possession limits of 15 gallons for Zone 1 and Zone 2, and 10 gallons for Zone 3 remain unchanged. For Zone 1, a 60-day season for draggers would begin on December 9, 2024 and the last day of the season would be March 20, 2025. For Zone 1, a 60-day season for divers would start on December 3, 2024 and the last day of the season would be April 26, 2025. For Zone 2, a 70-day season for draggers would start on December 2, 2024 and the last day of the season would be March 31, 2025. For Zone 2, a 70-day season for divers would start on November 19, 2024 and the last day of the season would be April 12, 2025. For Zone 3, a 50-day season for draggers would begin on December 2, 2024 and the last day of the season would be March 25, 2025. For Zone 3, a 50-day season for divers would begin on December 5, 2024 and the last day of the season would be March 29, 2025.

DMR would maintain existing limited access areas: W. Casco Bay, Muscle Ridge, Whiting and Denny's Bays. Additionally, the following existing targeted closures would be maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge. Lower Sheepscot and Damariscotta Rivers in Zone 1 along with Upper Machias Bay, Moosabec Reach and Upper Cranberries in Zone 2 are new proposed targeted closures for recovery and rebuilding. Gouldsboro and Dyers Bay along with Upper Blue Hill Bay are proposed as new limited access areas.

Harvesting of scallops by hand (diving) is restricted to Rotation B (Second) only for the 2024-2025 season.

Harvesting for scallops by dredge gear is restricted to Rotation C (Third) only for the 2023-2024 season. Rotation A is closed to all harvest.

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]

Recommendations from the Scallop Advisory Council, scallop industry members [harvesters and dealers] and Bureau of Marine Science staff.

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)]



Enforcement of this rule 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*