

# Notice of Agency Rule-making Proposal

MAPA-3 revised 2-2016

AGENCY: Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 11 Scallop Regulations Restructuring Proposed Rule-Making

BRIEF SUMMARY: This proposed rule-making restructures the Scallop regulations, for greater clarity and ease of use by the public and industry members.

Date, time and location of PUBLIC HEARING (*if any*): None

COMMENT DEADLINE: 6/17/2016

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, e-mail*):

NAME: Hannah Dean  
AGENCY: Department of Marine Resources  
ADDRESS: 21 State House Station  
Augusta, Maine 04333-0021  
E-MAIL: hannah.dean@maine.gov  
TELEPHONE: (207) 624-6573  
FAX: (207) 624-6024  
TTY: (207) 633-9500 (Deaf/Hard of Hearing)

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

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

STATUTORY AUTHORITY FOR THIS RULE: 12 M.R.S. §6171

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

AGENCY WEBSITE: <http://www.maine.gov/dmr/rulemaking/>

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

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REPEAL AND REPLACE THE EXISTING CHAPTER 11 WITH THE FOLLOWING

DEPARTMENT OF MARINE RESOURCES

CHAPTER 11 - SCALLOPS

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## 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.
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.

11.02 Reporting: See Chapter 8.

#### 11.03 Atlantic Sea Scallops Harvesting Season

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 in 11.11.

#### 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.

1. 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).

2. Gouldsboro Bay Drag Size Restriction

It shall be unlawful to possess on any vessel while fishing for scallops or to fish for or take scallops with any combination of scallop drags having an aggregate in excess of 4 feet 6 inches in Gouldsboro Bay north of a line drawn from the most eastern point of Youngs Point southerly to the most southern end of Outer Bar Island; thence northeasterly to the southern end of Sally Island; thence northeasterly to the southern end of Eastern Island; thence from the northern most end of Eastern Island to the southern most point of Dyers Point.

3. Blue Hill Bay Drag Size Restriction

It is unlawful to possess on any vessel fishing for scallops or fish for or take scallops with any one combination of scallop drags in excess of 8 feet 6 inches in width by measuring from the extreme outside edge of the mouth of the drag or drags, in Blue Hill Bay above or north of a line drawn from Bass Harbor Head in the Town of Tremont westerly to Pond Island and thence to Naskeag Point in the Town of Brooklin.

4. 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.

5. Kittery Area Drag Size Restrictions

It shall be unlawful to possess on any fishing vessel fishing for scallops, or fish for or take scallops with, any one combination of scallop drag or drags in excess of 5 feet 6 inches in width, measured from the extreme outside edge of the mouth of the drag or drags, west of a line drawn from the Horn at the tip of Cape Neddick, to Boon Island Light, to the Boon Island Ledge Whistle, then on a magnetic bearing of 104 degrees to the intersection with the Three Mile Limit (70° 24.3' W. Longitude, 43° 07.4' N. Latitude), as shown on NOAA, National Ocean Survey chart #13286.

6. 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.

7. Scalloping 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.

#### 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)) and 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.

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.

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, except for Muscle Ridge (1) which shall be open to diving on Thursdays and Fridays and shall be open to dragging on Tuesdays and Wednesdays, in dates specified in section 11.09 and for Casco Bay (27) which shall remain open to hand harvest (scuba divers). 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 dragners, while regulators, buoyancy compensators and tanks should be disconnected with fins and weight belts removed for divers.

- (1) Muscle Ridge (Open Mondays and Tuesdays to draggers. Open Wednesdays and Thursdays 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.
- (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.
- (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.
- (4) Ocean Point  
West of a line drawn from Emerson Point, at the southernmost 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.
- (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.
- (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 Ship Cove, Cape Elizabeth.
- (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.

(12) *(Expired)*

(13) *(Expired)*

(14) *(Expired)*

(15) *(Expired)*

(16) *(Expired)*

(17) *(Expired)*

(18) *(Expired)*

(19) *(Expired)*

(20) *(Expired)*

(21) Inner Machias Area

All waters inshore of the following boundary line: A line starting at the Eastern prominence of Bucks Head, Machiasport and proceeding South to the southern end of the southernmost Libby Island, then continuing in a northeasterly direction to the southernmost prominence of Double Head Shot Island, then continuing in a northeasterly direction to the southernmost prominence of Old Man Island, and then continuing northeast to the southern tip of Western Head, Cutler.

(22) 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.

(23) 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).

(24) 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.

(25) 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.

(26) 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 southernmost tip of Lower Head, Marshall Island.

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 Whitmore Neck, Deer Isle; then south to the western most point of Millett Island, then South to Richs Point, Isle Au Haut.

Southern boundary: North of a line running from the southernmost tip of Lower Head, Marshall Island to the northeastern most tip of Richs Point, Isle au Haut.

(27) Casco Bay (Open to hand harvest [scuba divers] only)

North of a line drawn from Portland Head Light, Cape Elizabeth to the southwestern point of Cushing Island, then following the shoreline to the northeastern point of Cushing Island to the southern point of Cliff Island, then continuing to the southwestern point of Jewell Island, then following the shoreline to the northern point of Jewell Island, then continuing to the southwestern point of Basin Point, Harpswell.

#### 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 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 be 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 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 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) Casco Bay Area:

Western boundary: South of a line drawn from the most southwestern point of Basin Point (Harpswell) 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 (Harpswell).

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 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.

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.

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.

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.

A. 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.

B. 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 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.

11.12 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:

<b>Zone Two (2) Eastern Maine 10 Year Rotational Management Plan Schedule</b>										
<b>Rotation</b>	<b>Year 1 2012-13 Season</b>	<b>Year 2 2013-14 Season</b>	<b>Year 3 2014-15 Season</b>	<b>Year 4 2015-16 Season</b>	<b>Year 5 2016-17 Season</b>	<b>Year 6 2017-18 Season</b>	<b>Year 7 2018-19 Season</b>	<b>Year 8 2019-20 Season</b>	<b>Year 9 2020-21 Season</b>	<b>Year 10 2021-22 Season</b>
<b>First</b>	X	X	OPEN	X	X	OPEN	X	X	OPEN	X
<b>Second</b>	OPEN	OPEN	X	X	OPEN	X	X	OPEN	X	X
<b>Third</b>	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 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 of a line from the southeastern point of Stinson Neck, Deer Isle 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 of a line from the 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.

(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 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.

### 11.13 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.

# 2015 - 2016 Scallop Season Calendar

## Zone One (1)

### 60 Day DRAG Season (15 gallons)

O Zone 1 Limited Access Areas Dragners
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	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

9

January 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
31						

16

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					

17

March 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	31		

14

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

4

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

**Total Days**  
60

**Total Limited Access Areas Days**  
15

**Total Weeks**  
18

# 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**

# 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

# 2015 - 2016 Scallop Season Calendar

## Zone One (1)

60 Day DIVE Season (15 gallons)

**O** Zone 1 Limited Access Areas Divers

**O** 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 O
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**

# 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	9 O	10 O	11 O	12 O
13	14	15	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**



# 2015 - 2016 Scallop Season Calendar

## Zone Three (3)

### 50 Day DIVE Season (10 gallons)

O Zone 3 Limited Access Areas Divers

O Open
 
 Closed

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

14

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

12

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

12

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

## DEPARTMENT OF MARINE RESOURCES

### CHAPTER 11 - SCALLOPS

#### EFFECTIVE DATES:

#### AMENDED:

September 20, 1980 - Section 2  
November 1, 1981 - Section 3 (Expired 4-15-82)  
November 1, 1981 - Section 4 (Expired 4-15-82)  
November 1, 1982 - Sections 3 & 4  
November 1, 1983 - Sections 4 & 5  
November 6, 1984 - Section 5 (EMERGENCY)  
November 1, 1985 - Section 10(A)  
January 7, 1986 - Section 10 (B)  
January 21, 1986 - Section 10 (C) & (D)  
August 24, 1986 - Section 3(C), 4, 5 & 10(C)  
December 16, 1986 - Section 10(E) & (F)  
January 26, 1987 - Section 3(B) and 10(A) & (B)  
October 25, 1987 - Section 10(E)  
December 15, 1987 - Section 15 (EMERGENCY)  
December 18, 1987 - Section 15 (EMERGENCY)  
September 4, 1988 - Section 3(B)  
October 27, 1988 - Section 15 (EMERGENCY)  
November 30, 1988 - Section 3(C) (EMERGENCY)  
October 31, 1989 - Section 3 (A) & (B)  
November 22, 1989 - Section 10 (E) (F) (REPEALED)  
November 1, 1990 - Sec. 16 (EMERGENCY)  
December 31, 1990 - Sec. 16 (REPEALED) (EMERGENCY)  
October 29, 1991 - Sec. 16  
October 31, 1991 - Sec. 4 (A) (EMERGENCY)  
November 1, 1991 - Sec. 3 (A)(2) (EMERGENCY)  
October 27, 1992 - Sec. 3 (A) (EMERGENCY)  
October 27, 1992 - Sec. 3 (B) (EMERGENCY)  
October 27, 1992 - Sec. 4 (EMERGENCY)  
November 13, 1992 - Sec. 3 (A) (EMERGENCY)  
December 5, 1992 - Sec. 5  
October 24, 1993 - Sec. 3 (A)  
October 27, 1993 - Sec. 3 (B) (EMERGENCY)  
February 8, 1994 - Sec. 17 (EMERGENCY)  
October 3, 1994 -- Section 11.17 (Emergency)  
October 24, 1994 -- Section 11.02; 11.10 (A), (C); 11.18 (EMERGENCY)  
February 5, 1995 -- Section 11.02; 11.10 (A), (C); 11.18  
July 3, 1995 -- Section 11.10 (B)  
August 31, 1997 -- Section 11.16  
September 19, 1997 -- renumbering, new Sections 11.01 and 11.07  
March 18, 2000 - repealed 11.02, 11.04, 11.05, 11.10(C)(1)  
renumbered 11.10(C)(2) to 11.10(C)(1)  
amended 11.10(A), 11.10(D)  
December 1, 2001 - Section 11.01(4) (punctuation); 11.15 (heading removed); 11.19 added  
November 25, 2002 – Section 11.07(1)(a)  
November 25, 2002 – Section 11.10(B)  
November 25, 2002 – Section 11.10(E)

November 25, 2002 – Section 11.20(A), chart  
September 16, 2003 – Section 11.19  
November 25, 2003 – Section 11.07(1)(a)(i), 11.10(B)  
April 27, 2004 – Section 11.07(1)(a)(iii)  
June 22, 2007 – Section 11.15 (expires May 1, 2010) (major substantive)  
September 23, 2008 – Section 11.02 and 11.10(B)  
November 24, 2008 – Section 11.07(3) added  
November 24, 2008 – Sections 11.09 (expires May 1, 2009), 11.10(F) and 11.10(G) added, chapter renumbered  
February 4, 2009 – Section 11.10(1)(H) added (EMERGENCY, expires May 1, 2009)  
February 21, 2009 – Section 11.10(1)(H) (EMERGENCY, expires May 1, 2009)  
July 20, 2009 – Section 11.10(1)(A); 11.15(2)  
September 21, 2009 – Section 11.09; 11.10(1)(H)  
September 21, 2009 – Section 11.10(1)(H)(10); 11.19(1)(E); 11.20(1) - removed chart  
December 21, 2009 – Section 11.10(1)(H)(1)(2)(3)(8)(c)  
September 20, 2010 – Section 11.09; 11.10(1)(D)&(E); 11.10(1)(H), 11.19(1)(B),(C)&(D)  
August 22, 2011 – Section 11.09; 11.10(1)(H)(5); also removed 11.15  
January 2, 2012 – Section 11.10(1)(H)(11) (EMERGENCY, expires April 1, 2012)  
November 14, 2012- Section 11.01 (5,6,7) added; 11.09 (1) amended and (2) added; 11.10(1)(H); 11.19; Sections 11.21 and 11.22 added  
December 8, 2012-Section 11.10(1)(F),11.22 (10) added (EMERGENCY, expires March 8, 2013)  
December 22, 2012-Section 11.22(11)(12)(13) added (EMERGENCY, expires March 22, 2013)  
January 16, 2013-Section 11.10(1)(F)(2)&(G) amended (EMERGENCY, expires March 8, 2013)  
January 19, 2013-Section 11.22(14)(15)(16) added (EMERGENCY, expires March 22, 2013)  
February 4, 2013-Section 11.22(10)(13) amended (EMERGENCY, expires March 22, 2013)  
February 23, 2013-Section 11.22(17)(18)(19) added (EMERGENCY, expires March 22, 2013)  
March 9, 2013-Section 11.09(2)(C) amended,11.22(20) added (EMERGENCY, expires March 22, 2013)  
October 17, 2013-Section 11.09(1)(2)(3)(4);11.10(F)(G)(H);11.22 amended  
January 18, 2014-Section 11.22(2)(7)(8)(10) amended; 11.22(13)(14) added (EMERGENCY, expires April 18, 2014)  
January 24, 2014-Section 11.22(8) amended; 11.22(15)(16) added (EMERGENCY, expires April 24, 2014)  
February 8, 2014 –Sections 11.09(3) and (4) amended; Sections 11.22(8), (10), (13), (14), (15) and (16) amended; Sections 11.22(17), (18) and (19) added; (EMERGENCY, expires May 1, 2014)  
February 22, 2014-Sections 11.22 (20) and (21) added; (EMERGENCY, expires May 1, 2014)  
October 7, 2014-Sections 11.09 (1)(2)(3)(4);11.10(1)(F)(H);11.19(1)(B)(C)&(2);11.22 amended. Sections 11.23, 11.24 added.  
December 27, 2014 – Sections 11.22(6) and (7) added (EMERGENCY, expires March 26, 2014)  
February 28, 2015 – Sections 11.10(1)(H), 11.22 (EMERGENCY), expires May 1, 2015)  
October 26, 2015 –  
December 13, 2015 - Section 11.22 (1) (12)(13)(14) Muscle Ridge, Gouldsboro and Dyer Bays, Wohoa Bay and Jonesport Reach and Inner Machias Rotational Area (EMERGENCY, expires March 11, 2016)  
January 16, 2016 - Section 11.22 Scallop Targeted Closures (6)(15)(16) South Portland Harbor, Vinalhaven & Fox Island Thorofare and Whiting and Dennys Bays (EMERGENCY, expires April 15, 2016)  
January 23, 2016 - Section 11.22 Targeted Closures (1)(17) Muscle Ridge and Western Penobscot Bay (EMERGENCY, expires April 22, 2016)  
February 6, 2016 - Section 11.22 Targeted Closures (18)(19)(20) Cobscook Bay, St. Croix River and Owls Head (EMERGENCY – expires May 6, 2016)  
March 20, 2016 – Section 11.22 Targeted Closures (21)(22)(23)(24)(25)(26)(27) Inner Machias Area, Wohoa/Western Bay Rotational Area, Gouldsboro/Dyers Bay Rotational Area, Upper Blue Hill Bay/Union River Rotational Area, Jericho Bay Area, Eggmoggin Reach/Southeast Harbor Rotational Area, and Casco Bay (EMERGENCY, expires June 18, 2016)

## Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Hannah Dean, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6573; E-mail: [hannah.dean@maine.gov](mailto:hannah.dean@maine.gov), web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: Chapter 11 Scallop Regulations Restructuring Proposed Rule-Making

STATUTORY AUTHORITY: 12 M.R.S. §**6171**

DATE AND PLACE OF PUBLIC HEARING: None

COMMENT DEADLINE: **6/17/2016**

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE:

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? \_\_\_YES\_\_\_X\_\_\_ NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

This proposed rule-making restructures the Scallop regulations, for greater clarity and ease of use by the public and industry members.

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]: Existing Scallop Regulations

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.