

NOTICE OF AGENCY RULE-MAKING ADOPTION**AGENCY:** Department of Marine Resources**CHAPTER NUMBER AND TITLE:** Chapter 11 Scallops; 2022-23 Season**ADOPTED RULE NUMBER:**
(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)**CONCISE SUMMARY:**

This proposed rule-making establishes the 2022-2023 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 12, 2022 and the last day of the season would be March 23, 2023. For Zone 1, a 60-day season for divers would start on November 15, 2022 and the last day of the season would be April 29, 2023. For Zone 2, a 70-day season for draggers would start on December 1, 2022 and the last day of the season would be March 30, 2023. For Zone 2, a 70-day season for divers would start on November 17, 2022 and the last day of the season would be April 22, 2023. For Zone 3, a 50-day season for draggers would begin on December 5, 2022 and the last day of the season would be March 28, 2023. For Zone 3, a 50-day season for divers would begin on December 1, 2022 and the last day of the season would be April 29, 2023.

Harvesting of scallops by hand (diving) is restricted to Rotation A (First) only for the 2022-2023 season. Harvesting for scallops by dredge gear is restricted to Rotation B (Second) only for the 2022-2023 season. A new limited access area is proposed for East Moosabec Reach in Zone 2 for the 2022-2023 season. The St. Croix River in Zone 3 re-opens to harvest for the 2022-2023 season.

DMR would maintain the following Limited Access Areas: Western Penobscot Bay, Muscle Ridge, Whiting and Denny's Bays. Additionally, the following existing targeted closures based on depletion, high concentrations of seed/sublegal scallops and/or the presence of spat-producing scallops would be maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge.

EFFECTIVE DATE:
(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

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Please approve bottom portion of this form and assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____	DATE: _____				
FUND	AGENCY	S-UNIT	APP	OBJT	AMOUNT
010	13A	1120	10	4946	regulations

Please forward invoice to: Natural Resource Service Center, 155 SHS, Augusta

DEPARTMENT OF MARINE RESOURCES

Chapter 11 Scallops

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. ~~Back~~ 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 and North of the Townsend Gut Bridge connecting Southport Island and West Boothbay Harbor.

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

~~Northern boundary: West and south of a line drawn from the southern tip of Davis Island, running southwest to Clough Point, Westport Island.~~

~~Eastern boundary: West of a line drawn at the most northern tip of Soldier Point running north to the most southern tip of Westport 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. Damariscotta River

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

8. ~~St. Croix River~~

~~Northern boundary: South and west of a line drawn from the International Bridge between Calais, Maine and St. Stephen, New Brunswick, Canada.~~

~~Eastern boundary: West of the international maritime boundary line.~~

~~Southern boundary: North and east of a line drawn from the northern tip of Kendall Head, Eastport to the southern tip of Cummings Cove, Deer Island, Canada.~~

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 ~~November 18, 2022 24 and 27, 2021; December 2, 3, 9, 10, 16, 17, 23, 24, 30 and 31, 2022 for areas 1, 3 and 5 in Zone 1; and, December 3, 10, 17, 24 and 31, 2022; January 7, 14, 21, and 28, 2023; February 4, 11, 18 and 25, 2023 and March 4 and 11, 2023 for area 4 in Zone 3. 3, 4, 10, 11, 17, 18, 23, 24 and 31, 2021 in Areas 1, 2, 3 and 5; except for November 24, 26, and 27, 2021; December 16, 17 and 18, 2021; and January 6, 7, and 8, 2022 in Areas 6 and 7; except in Whiting and Dennys Bays (Area 4) on December 4, 11, 18, and 24, 2021; January 1, 8, 15, 22 and 29, 2022; February 5, 12, 19 and 26, 2022; and March 5, 12 and 19, 2022.~~ 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 2, 9, 16, 23 and 30, 2023; February 6, 13, 20 and 27, 2023 and March 6 and 13, 2023 in areas 1, 3, and 5 in Zone 1; and, December 5, 12, 19, and 26, 2022; January 2, 9, 16, 23 and 30, 2023; and February 6, 13, 20 and 27, 2023 in area 2 in Zone 2; and December 5, 12, 19, and 26, 2022; January 2, 9, 16, 23 and 30, 2023; February 6, 13, 20 and 27, 2023; and March 6, 13 and 20, 2023 in area 4 in Zone 3. 3, 10, 17, 24 and 31, 2022; February 7, 14, 21 and 28, 2022; and March 7 and 14, 2022 in Areas 1, 2, 3 and 5; except for December 6, 7, 8, 27, 28 and 29, 2021; and January 17, 18 and 19, 2022 in Areas 6 and 7; except in Whiting and Dennys Bays (Area 4) on December 6, 13, 20 and 27, 2021; January 3, 10, 17, 24 and 31, 2022; February 7, 14, 21 and 28, 2022; and March 7, 14 and 21, 2022.~~ 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. East Moosabec Ridge

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.

Western boundary: East of the Jonesport Bridge.

~~2. ——— Sheepscot River~~

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

~~Northern boundary: East and south of a line drawn from the southern tip of Davis Island, running southwest to Clough Point, Westport Island.~~

~~Eastern boundary: West of a line drawn from Cross Point, Edgecomb, running easterly to the northern tip of Barters Island and continuing southerly along the western shore of Barters Island to the southern the most point of Barters Island and continuing southeasterly to the most northwestern tip of Sawyer Island.~~

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

3. Western Penobscot Area:

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 and then from the west shore of Mosquito Island to the most southern tip of Marshall Point, Port Clyde.

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.

5. 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.

~~6. — 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.~~

~~7. West Moosabec Reach Area~~

~~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.~~

11.11 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 12, 2022 ~~6, 2024~~ through March 23, 2023 ~~17, 2022~~, both days inclusive, with the following exceptions:

- A. In December 2022 ~~2024~~ fishing is prohibited on Fridays, Saturdays and Sundays.
- B. In January 2023 ~~2022~~, February 2023 ~~2022~~, and March 2023 ~~2022~~, 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 November 15, 2022 ~~16, 2024~~ through April 29, 2023 ~~2022~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited in the month of November 2022 ~~2024~~ except on days 15, 16, 17, 18, 19, ~~20~~, 22, 23, 24, 25, 26 and 30, 2022 ~~27, 2024~~. In the month of December 2022 ~~2024~~ fishing is prohibited on Sundays, Mondays, and Tuesdays; ~~and also December 25, 2024.~~
- B. Fishing is prohibited in the months of January 2023 ~~2022~~ and February 2023 ~~2022~~.
- C. In the month of March 2023 ~~2022~~, fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays.
- D. In the month of April 2023 ~~2022~~, fishing is prohibited on Sundays, ~~and~~ Mondays and Tuesdays. ~~26, 27, and 30, 2022.~~

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, 2022 ~~2024~~ through March 30, 2023 ~~31, 2022~~, both days inclusive, with the following exceptions:

- A. In December ~~2022~~ 2024, fishing is prohibited on Fridays, Saturdays and Sundays, except for Friday, December 16, 2022 which shall be open.
- B. In January ~~2023~~ 2022, February ~~2023~~ 2022, and March ~~2023~~ 2022, fishing is prohibited on 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 November ~~17, 2022~~ 19, 2024 through ~~April 22, 2023~~ March 26, 2022, both days inclusive, with the following exceptions:

- A. In the month of November ~~2022~~ 2024, fishing is permitted on days ~~17, 18, 19, 20, 22, 23, 24, 25, and 26, 2022. and 30, 2024.~~ December ~~2022~~ 2024 fishing is prohibited on Sundays, Mondays, and Tuesdays and Wednesdays. ; ~~and also, December 25, 2021.~~
- B. In the months of January ~~2023~~, February 2023, March 2023 and April 2023 ~~2022~~, fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays.
- C. ~~In the months of February and March 2022, fishing is prohibited on Sundays, Mondays, and Tuesdays.~~
- D. ~~In the month of April 2022, fishing is prohibited.~~

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, ~~2022~~ 2024 through March 31, ~~2023~~ 2022, 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 ~~5, 2022~~ 4, 2024 through March 28, ~~2023~~ 2022, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the month of December ~~2022~~ 2024.
- B. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the months of January ~~2023~~ 2022, February ~~2023~~ 2022 and March ~~2023~~ 2022.

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 ~~1, 2022~~ ~~2, 2024~~ through April 29, 2023 ~~March 26, 2022~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the month of December ~~2022~~ ~~2024~~; and fishing is also prohibited on ~~December 25, 2021~~.
- B. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of January ~~2023~~ ~~2022~~, and February ~~2023~~ ~~2022~~ and ~~March 2022~~.
- C. Fishing is prohibited on all days in March, except for March 2, 3, 4, 9, 10 and 11, 2023.
Fishing is prohibited on all days in April, except for April 1, 8, 15, 22 and 29, 2023.

11.12 ~~Ten (10) Year~~ 2022-2023 Rotational Management Plan

~~All areas are closed with the exception of the Third Rotation as described in 11.12(1)(C).~~

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

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

All areas in the Third Rotation as described in 11.12(1)(C) are closed to harvest during the 2022-2023 scallop season.

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:~~

Strike table:

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

A. First Rotation

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

Transiting exception:

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

(1) The Bold Coast

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

Western boundary: North and East of a line starting at the most western tip of Jim's Head in the town of Trescott and 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

~~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 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 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 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

~~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~~ Western Head, Cutler to the three mile limit.

(2) Wahoo/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 Whitmore 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 the three mile limit, encompassing the territorial waters around all the outer islands of Penobscot Bay including Matinicus Island, Ragged Island, Wooden Ball Island, Seal Island and Matinicus Rock.

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.

Strike this Zone 1 drag calendar page:

FINAL CALENDAR
2021-2022 SCALLOP SEASON ZONE 1 DRAG
60 days; 11 LAA days

Limited Access Area

Open

Closed

NOVEMBER 2021							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 2021							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	29	30	31		

JANUARY 2022							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	
30	31						

FEBRUARY 2022							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 2022							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			

APRIL 2022							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	

Strike this Zone 1 dive calendar page:

FINAL CALENDAR

2021-2022 SCALLOP SEASON ZONE 1 DIVE

60 days; 11 LAA days

Limited Access Area

Open Closed

NOVEMBER 2021 **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				

DECEMBER 2021 **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	

JANUARY 2022 **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 2022 **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					

MARCH 2022 **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 2022 **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

Strike this Zone 2 drag calendar page:

FINAL CALENDAR
2021-2022 SCALLOP SEASON ZONE 2 DRAG
 70 days

Limited Access Areas

Open

Closed

NOVEMBER 2021 **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 2021 **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	

JANUARY 2022 **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
30	31					

FEBRUARY 2022 **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 2022 **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		

APRIL 2022 **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

Strike this Zone 2 dive calendar page:

FINAL CALENDAR
2021-2022 SCALLOP SEASON ZONE 2 DIVE
 70 days

Limited Access Areas

Open Closed

NOVEMBER 2021 **7 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 2021 **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	

JANUARY 2022 **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					

FEBRUARY 2022 **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 2022 **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	29	30	31		

APRIL 2022 **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

Strike this Zone 3 drag calendar page:

FINAL CALENDAR

2021-2022 SCALLOP SEASON ZONE 3 DRAG

50 days; 16 LAA days

Limited Access Area

Open Closed

NOVEMBER 2021 **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 2021 **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	

JANUARY 2022 **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					

FEBRUARY 2022 **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 2022 **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		

APRIL 2022 **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

Strike this Zone 3 dive calendar page:

FINAL CALENDAR

2021-2022 SCALLOP SEASON ZONE 3 DIVE

50 days; 16 LAA days

Limited Access Area

Open Closed

NOVEMBER 2021 **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 2021 **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	

JANUARY 2022 **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					

FEBRUARY 2022 **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 2022 **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		

APRIL 2022 **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

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

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 1 DRAG
60 days; 11 LAA days

Zone 1 Limited Access Area
 Open
 Closed

NOVEMBER 2022							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 2022							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 2023							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	18	20	21	
22	23	24	25	26	27	28	
29	30	31					

FEBRUARY 2023							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 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		

APRIL 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							

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

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 1 DIVE
60 days; 11 LAA days

Zone 1 Limited Access Area

Open

Closed

NOVEMBER 2022							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				

DECEMBER 2022							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 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	31					

FEBRUARY 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					

MARCH 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		

APRIL 2023							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	
30							

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

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 2 DRAG
70 days; 13 LAA days

Zone 2 Limited Access Area

Open

Closed

NOVEMBER 2022							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 2022							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	24
25	26	27	28	29	30	31	

JANUARY 2023							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 2023							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 2023							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		

APRIL 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							

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

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 2 DIVE
70 days

Open Closed

NOVEMBER 2022 7 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 2022 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

JANUARY 2023 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 2023 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 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	

APRIL 2023 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):

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 3 DRAG
50 days; 16 LAA days

Zone 3 Limited Access Area

Open

Closed

NOVEMBER 2022							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 2022							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 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	18	20	21	
22	23	24	25	26	27	28	
29	30	31					

FEBRUARY 2023							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 2023							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		

APRIL 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							

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

FINAL CALENDAR
2022-2023 SCALLOP SEASON ZONE 3 DIVE
50 days; 15 LAA days

Zone 3 Limited Access Area

Open

Closed

NOVEMBER 2022							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 2022							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	

JANUARY 2023							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 2023							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 2023							6 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 2023							5 Days
Su	Mo	Tu	We	Th	Fr	Sa	
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2	3	4	5	6	7	8	
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Rule-Making Fact Sheet

(5 M.R.S., §8057-A)

AGENCY: Department of Marine Resources

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Amanda Ellis, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021 Telephone: (207) 624-6573;
web address: <http://www.maine.gov/dmr/rulemaking/>

CHAPTER NUMBER AND RULE: Chapter 11 Scallops; 2022-2023 Season

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

Date, time and location of PUBLIC HEARING (*if any*): Public hearings are scheduled for 5:00 p.m. at the dates and locations listed below:

* August 29, 2022: DMR's Augusta Office (Marquardt Building), 32 Blossom LN, Rm. 118; or remotely via Microsoft Teams. Remote access information is posted to DMR's website under meetings.

* September 1, 2022: University of Maine at Machias, 116 O'Brien AV, Science Building, Rm 102

COMMENT DEADLINE: September 11, 2022

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 ___ X NO [§8056(1)(B)]

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

This proposed rule-making establishes the 2022-2023 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 12, 2022 and the last day of the season would be March 23, 2023. For Zone 1, a 60-day season for divers would start on November 15, 2022 and the last day of the season would be April 29, 2023. For Zone 2, a 70-day season for draggers would start on December 1, 2022 and the last day of the season would be March 30, 2023. For Zone 2, a 70-day season for divers would start on November 17, 2022 and the last day of the season would be April 22, 2023. For Zone 3, a 50-day season for draggers would begin on December 5, 2022 and the last day of the season would be March 28, 2023. For Zone 3, a 50-day season for divers would begin on December 1, 2022 and the last day of the season would be April 29, 2023.

Harvesting of scallops by hand (diving) is restricted to Rotation A (First) only for the 2022-2023 season. Harvesting for scallops by dredge gear is restricted to Rotation B (Second) only for the 2022-2023 season. A new limited access area is proposed for East Moosabec Reach in Zone 2 for the 2022-2023 season. The St. Croix River in Zone 3 re-opens to harvest for the 2022-2023 season.

DMR would maintain the following Limited Access Areas: Western Penobscot Bay, Muscle Ridge, Whiting and Denny's Bays. Additionally, the following existing targeted closures based on depletion, high concentrations of seed/sublegal scallops and/or the presence of spat-producing scallops would be maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge.

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

Basis Statement

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- Section 11.12 [Rotational Management] was updated to remove references to prior years. These changes provide additional clarity.

Summary of Comments

Notice of this proposed rulemaking appeared on August 10, 2022, in the five major daily newspapers as published by the Secretary of State. On August 10, 2022, the rule was posted on the DMR website, and electronic messages were sent to individuals who subscribe to DMR notices. Electronic notice was provided to scallop license holders, who provided the Department with an email address. Public hearings were held at 5:00 p.m. at the date and locations noted below. The comment period closed on September 11, 2022.

August 29, 2022: DMR's Augusta office and Remotely via Teams

Except for DMR staff, Melissa Smith, Amanda Ellis, and Kathleen Reardon no one else one attended this hearing.

September 1, 2022: University of Maine at Machias

DMR staff: Melissa Smith, Amanda Ellis, and Sgt Mark Murray (Marine Patrol)

Members of the public who signed in¹: Ralph Dennison, Mike Murphy, Mike Murphy II, John Polk, and Jacob Leach.

Ralph Dennison, Diver

I oppose the changes made to the dive season in Cobscook Bay for the following twelve reasons, although there is more: Lack of scallops in the St. Croix River, too many deep areas in the St. Croix River, too many ice flows during that part of the season. All the lakes are melting and the water is too cold. Visibility is horrible in April and there's extreme current. Why would we want to sacrifice five days in Cobscook Bay in March if the

¹ Other persons signed in, but their name was illegible.

season went the entire 50 days to have it in the St. Croix River where there are no scallops. It doesn't make sense. Because of the past seasons precedent many people have planned vacations because we are always done in March. I can't get money back for an overseas vacation that I've already paid for without missing five days if it goes the entire time. Draggers would have all their time in Cobscook Bay where there are scallops and the season is 50 days. Why would we want to go to the river when there are no scallops there? Also, increased travel time by boat or truck just to get up there. You want to talk about adding to the carbon footprint everyone's talking about all the time? That's going to be a big addition to that. The idea was thrown out by a member of the SAC to see what happens. Well, why do we want to see what would happen? Why fix something that ain't broke. He was quoted as saying: "there were scallops there 30 years ago. I probably won't go there but Richard might." Well, that's great but it's not a way to make rules. I have a letter that's signed by several divers and tenders. I work seven days a week this time of year, so I didn't have time to get signatures of all the divers that wanted to sign, but they are going to comment on the computer.

Mike Murphy II, Dragger

I am opposed to the rule as written mainly because divers have their own zones. If divers want to participate in the fishery I believe they should participate in the management of said fishery. If we close two areas and can only fish one they shouldn't be fishing in another. I understand their landings are low, but it's because of latent licenses. They have the potential to be the quarter of our landings if they reactivated their licenses which would be detrimental to our fisheries.

Written Comments:

Marcus Jones, received via email, September 9, 2022

I AM DEFINITELY in favor of a separate rotational season for divers and draggers . This would definitely stop any conflict with gear types , example (draggers often drag close to us to mud us out. (causing the visibility to drop to ZERO!) so we no longer can harvest until tide change or the dragger is done for the day . This has been and continues to be a very controversial discussion, but with time I'm positive this separate rotation will be one that both industry's will benefit from.

David Tarr, received via email, September 9, 2022

I am writing in support of the proposed season/rules as proposed. I like the idea of having divers and draggers on separate rotations as this will improve safety. These are really two separate fisheries working on the same resource and should be treated as such. Having separate areas to fish will help alleviate low visibility (silt) issues. It will also relieve close contact situations between the two methods. The department also will gain information in more than one area at a time by having activity and reporting from both. I like the calendar (zone2) starting early (November) and running late (April) as it gives my family good income for a longer period. I also like the consistency of the dragging calendar in zone 2 as it makes for easy planning for dealers and harvesters. I have been a scallop diver for almost 40 years and somewhat involved in the drag fishery for the same time. Presently I work in both fisheries.

James McMillan, received via email, September 9, 2022

I would be in favor of doing this. It should've been done from the start of this rotational management program. I'm also in favor of splitting rotations into 2 zones instead of 3.

Ailin Rafferty, received via email, September 9, 2022

I received my scallop/dive license via the DMR lottery two years ago so have limited experience in this fishery. However, I believe the proposed rule change separating the divers from the draggers is a logical idea. I think it will not only alleviate the congestion of harvesters working the same areas on the water, but take strain off some of the land based infrastructure (i.e. parking, moorings, dock space). I've spoken with the few veteran

divers I know, and all seem to agree this is a sound proposal. Based on their opinions of the matter, and my limited experience I am in support of this change.

Terry Gray, received via email, September 8, 2022

I would like to express my interest in separating divers and draggers in the up coming season. I believe it would be good for both groups of harvesters, the draggers wouldn't have to wait for a diver to vacate an area before they can continue to work a shoreline . From a divers perspective I feel it would be safer and give us equal access to the resource especially on windy days when options for separation are limited. Over the last several years I have had windy days that I wasn't able to find a suitable lee due to drag activity, with the amount of silt stirred up visibility drops to almost zero. There have been a few occasions that someone has used the tide and silt to push me out of an area so they can fish. Not to mention the fact that it's a little unnerving when you surface to find your tender between you and another boat only a few yards apart. Thank you for considering separating to two methods of harvest.

Jeremy Card, received via email, September 8, 2022

My name is Jeremy Card I'm a Zone 2 Scallop diver. I am for divers and draggers to be in separate zones. I am mostly concerned about safety. When we went to the rotation areas It put all of us in a lot smaller areas. The scallop beds are only so big so we try to get in as close as we can. Also the draggers go at the beginning of the week and when its time for divers to go the water is all murked up and we can't see and end up losing days. The divers tend to have smaller boats so on windy days if a dragger or draggers are in the calmer side we don't have anywhere to fish. Divers also fish in shallower waters then the draggers and divers go for the shallower spots first so once that is cleaned up divers are all but done for the season. There are a lot of spots divers never get a chance to fish before its closed for example Gouldsboro bay it opens to early in the season, and divers can't see bottom because the water hasn't cleaned up yet and their is no visibility. The water quality doesn't really clear up til December up in the bays. One last thing, their is hardly any active scallop divers left, and very seldom get our limit so we wouldn't put very much pressure on the scallop beds and zero pressure on any water over 60 feet.

Ralph Dennison, Brett Mathews, Carol Dennison, Sean Caricofe and Allan Savage, received via mail, September 2, 2022

We as a group strongly oppose changing the 2022-2023 scallop dive season calendar. We are in favor of keeping the same calendar schedule as in the last few previous years; a 50-day season on Thursday, Friday, and Saturday with the season ending in March 2023 and NOT extending into April for the following reasons:

1. Lack of scallops in the St. Croix River
2. Too many deep areas in the St. Croix River
3. Too many ice flows possible
4. Too cold due to ice melt
5. Poor visibility due to runoff
6. Extreme current
7. Not wanted to sacrifice 5 possible days in Cobscook Bay where there are scallops
8. Because of past season's precedent, many people have planned vacations for the month of April between seasons
9. Loss of a limited access day
10. Draggers would have all their days in Cobscook Bay where there are scallops
11. Increased travel time either by truck or boat with fuel costs so high would be a burden on the fisherman and the carbon footprint greater
12. The idea was thrown out there by one member of the S.A.C. to "see what would happen" after stating, "there were scallops there 30 years ago" and "I probably won't go there, but Richard might. He'd be about the only one."

Todd Gray, received via email, September 3, 2022

I would like the season to stay the same as it has been for past several years.

Department's Response:

Zone 3 Calendar

No amendments were made to the Zone 3 proposed calendar. While there was a comment received that did not support the pilot calendar option to hold open harvest Saturdays in the month of April, there remains negligible risk to existing harvest opportunities with the proposed calendar change. For the past several seasons, harvest in Zone 3 within Cobscook Bay has been consistently over 30 days a season, but well under 40 days. In fact, the last season in which harvest extended beyond 40 days was the 2016-2017 which lasted 42 days for Cobscook Bay before closing through emergency action. Additionally, St Croix River was closed to hard during the 2021-2022 season which may have encouraged growth in suitable dive areas. It was suggested that few individuals may choose to harvest during the month of April. However, not having had the opportunity to complete commercial dive trips in April for many seasons, it's possible some members of the local dive community could benefit from this opportunity and extend their income window into April without causing harm to the scallop resource, or the existing scallop fishery operations within Zone 3. Overall, this minor adjustment to the Zone 3 Dive Calendar is exploratory in nature and could provide insight on how to best manage this particular area within Zone 3.

Separate Rotation for Dive and Drag Harvest

No amendments were made to the Zone 2 proposal to separate the rotations utilized by the dive and drag sectors of the state scallop fishery. There were several commenters in support of the proposed action and one comment in opposition. Currently, the level of active scallop divers state-wide is under 35 license holders with dive pounds landed making up less than 5% of the total meat pounds in a scallop season. There are active members of the Scallop Advisory Council (SAC) that do possess a dive license and participate in the management of the state scallop fishery. This topic of splitting the two license sectors into separate rotations was raised several seasons ago at the SAC as an exploratory topic to determine feasibility and utility within the fishery. The SAC had a thorough discussion on the topic and put forward the recommendation to the Commissioner for the 2022-2023 season. As with any recommendation or proposed rule change, analysis of impacts can always be requested during a future SAC meeting and the topic re-opened for discussion. This opportunity to have divers harvesting within a separate rotation could provide additional insight on scallop nursery areas, invasive species hotspots and shifting trends in scallop aggregations that could be useful information for future resource conversations.