

**Notice of Agency Rule-making Proposal**

AGENCY: 13-188-Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 11 Scallops; 2023-2024 Season

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

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

**BRIEF SUMMARY:**

This proposed rule-making establishes the 2023-2024 scallop fishing season for Zones 1, 2, and 3. A 60 day season is proposed for Zone 1, a 70 day season is proposed for Zone 2, and a 50 day season is proposed for Zone 3. Daily possession limits of 15 gallons for Zone 1 and Zone 2, and 10 gallons for Zone 3 remain unchanged. Limited Access Areas for 2023-2024 are identified in the proposed rule. Harvesting of scallops by hand (diving) is restricted to Rotation C (Third) only for the 2023-2024 season. Harvesting for scallops by dredge gear is restricted to Rotation A (First) only for the 2023-2024 season. Rotation B is closed to all harvest. A new juvenile conservation closure, Green Island/The Brothers, in the Englishmen’s/Kennebec River Rotational Area in Zone 2 is proposed for the 2023-2024 season. This rulemaking also proposes to split the Lower Penobscot Rotational Area, creating an annual open harvest based on Zone 2 calendars for state waters that surround Matinicus and outer islands in Zone 2. Lastly, this rule-making proposes to allow scallop harvest to begin starting ½ hour before Augusta sunrise.

Date, time and location of PUBLIC HEARING (*if any*): October 5, 2023 at 6:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

COMMENT DEADLINE: October 16, 2023

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

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Hearing facilities: If you require accommodations due to disability, please contact Meredith Mendelson at 207-624-6553.

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

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

STATUTORY AUTHORITY FOR THIS RULE: §6171, 6722

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

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

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\* Check one of the following two boxes.

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

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

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

APPROVED FOR PAYMENT \_\_\_\_\_ DATE: \_\_\_\_\_

(*authorized signature*)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
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#### DETAILED SUMMARY FOR NOTICES ON THE SOS WEBSITE:

This proposed rule-making establishes the 2023-2024 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 11, 2023 and the last day of the season would be March 21, 2024. For Zone 1, a 60-day season for divers would start on December 5, 2023 and the last day of the season would be April 27, 2024. For Zone 2, a 70-day season for draggers would start on December 1, 2023 and the last day of the season would be March 27, 2024. For Zone 2, a 70-day season for divers would start on November 16, 2023 and the last day of the season would be April 20, 2024. For Zone 3, a 50-day season for draggers would begin on December 4, 2023 and the last day of the season would be March 28, 2024. For Zone 3, a 50-day season for divers would begin on December 7, 2023 and the last day of the season would be March 30, 2024.

DMR proposes to re-establish limited access status for the Sheepscot and Damariscotta Rivers. DMR would maintain existing Limited Access Areas: W. Casco 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. Western Penobscot Bay would be open for harvest based on Zone 1 harvest days.

Harvesting of scallops by hand (diving) is restricted to Rotation C (Third) only for the 2023-2024 season. Harvesting for scallops by dredge gear is restricted to Rotation A (First) only for the 2023-2024 season. Rotation B is closed to all harvest. A new juvenile conservation closure, Green Island/The Brothers, in the Englishmen's/Kennebec River Rotational Area in Zone 2 is proposed for the 2023-2024 season. This rulemaking also proposes to split the Lower Penobscot Rotational Area, creating an annual open harvest based on Zone 2 calendars for state waters that surround Matinicus and outer islands in Zone 2. Lastly, this rule-making proposes to allow scallop harvest to begin starting ½ hour before Augusta sunrise.

# DEPARTMENT OF MARINE RESOURCES

## Chapter 11 Scallops

### 11.07 Atlantic Sea Scallop Limitations

#### 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 until 1/2 hour before sunrise (as defined in 12 M.R.S. §6001(45)) within Maine's territorial waters.

### 11.08 Targeted Scallop Conservation Closures

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

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following closed areas.

Transiting exception:

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

#### 1. Lower Muscle Ridge

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

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

2. Eastern Casco Bay

Eastern boundary: West and North of a line drawn from the most southern tip of Gun Point, Harpswell, to G "3", South of Round Rock; continuing in a southwesterly direction to R N "2" at Eastern Drunkers Ledge.

Western boundary: East and North of a line draw from R N "2" at Eastern Drunkers Ledge to the most southern tip of Jaquish Island; then east of a line from the most northwestern tip of Jaquish Island at Latitude 43° 42.950N Longitude 70° 00.137W to the most southeastern tip of land along Jaquish Gut at Latitude 43° 43.043N Longitude 70° 00.128W.

3. Upper Sheepscoot 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.~~

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

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

4. New Meadows River

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

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

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

5. Card Cove

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

6. Beals-Jonesport Bridge

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

Western boundary: East of the Jonesport-Beals Bridge.

7. Green Island/The Brothers

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

~~7. Damariscotta River~~

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

### 11.09 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 7, 8, 9, 14, 15, 16, 21, 22, 23, 28 and 29, 2023 in areas 1, 3, 4 and 5 in Zone 1; and, December 9, 16, 23, 30, 2023, January 6, 13, 20, 27, 2024, February 3, 10, 17, 24, 2024 and March 2, 9, 16, 23, 2024 in area 4 in Zone 3. November 18, 2022; 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.~~ All directions are relative to True north (not magnetic).

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on January 1, 8, 15, 22, 29, 2024, February 5, 12, 19, 26, 2024 and March 4 and 11, 2024 in areas 1, 3, 4 and 5 in Zone 1; and December 4, 11, 18, 26, 2023, January 1, 8, 15, 22, 29, 2024, February 5, 12, 19, 26, 2024 and March 4, 11, 18, 2024 in area 4 in Zone 3. ~~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.~~ 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.~~

~~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.~~

2. 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.

3. 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.

4. Lower Sheepscot River

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

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

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

Southern boundary: North of a line drawn from the most southern point of Outer Head Island at Griffith Head, Georgetown to the most southern tip of Cape Island, Southport.

5. Damariscotta River

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

**11.11 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 11, 2023 ~~12, 2022~~ through March 21, 2024 ~~23, 2023~~, both days inclusive, with the following exceptions:

- A. In December ~~2023~~ ~~2022~~ fishing is prohibited on Fridays, Saturdays and Sundays, and also Monday, December 25, 2023, with the exception of Friday, December 29, 2023 which will remain open.
- B. In January ~~2023~~, February ~~2023~~, and March 2024 ~~2023~~, fishing is prohibited on Fridays, Saturdays and Sundays.

2. Zone 1 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 1 is open December 5, 2023 ~~November 15, 2022~~ through April 27, 2024 ~~29, 2023~~, both days inclusive, with the following exceptions:

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

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, ~~2023~~ ~~2022~~ through March 27, 2024 ~~30, 2023~~, both days inclusive, with the following exceptions:

- A. In December ~~2023~~ ~~2022~~, fishing is prohibited on ~~Fridays~~, Saturdays and Sundays, except for Friday, December 29, 2023, which shall remain closed. ~~16, 2022 which shall be open.~~
- B. In January ~~2023~~, February ~~2023~~, and March 2024 ~~2023~~, 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 16, 2023 ~~17, 2022~~ through April 20, 2024 ~~22, 2023~~, both days inclusive, with the following exceptions:

- A. In the month of November ~~2023~~ ~~2022~~, fishing is permitted on days 16, 17, 18, ~~19~~, 21, 22, ~~23~~, 24, 25 and 30, 2023 ~~26, 2022~~. December ~~2023~~ ~~2022~~, fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays.
- B. In the month of January ~~2023~~, February ~~2023~~, March ~~2023~~ and April 2024 ~~2023~~ fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays.

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, ~~2023~~ ~~2022~~ through March 31, 2024 ~~2023~~, 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 4, 2023 ~~5, 2022~~ through March 27, 2024 ~~28, 2023~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the month of December ~~2023~~ ~~2022~~, and also Monday, December 25, 2023.

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

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 7, 2023 ~~4, 2022~~ through March 30, 2024 ~~April 29, 2023~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the month of December 2023 ~~2022~~, and also Thursday, December 28, 2023.
- B. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of January ~~2023~~, February ~~2023~~ and March 2024.
- ~~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~~ Rotational Management Plan**

All areas in the First Rotation as described in 11.12(1)(A) are open to all individuals issued a license under §6702 or 6302-A for scallop dragging only. ~~§6701 or 6302-A for scallop diving only.~~

All areas in the Second Rotation as described in 11.12(1)(B) are closed to harvest during the 2023-2024 scallop season. ~~open to 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 open to individuals issued a license under §6701 or 6302-A for scallop diving only. ~~closed to harvest during the 2022-2023 scallop season.~~

1. Zone Two (2): Eastern Maine

A. First Rotation

All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

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

(1) The Bold Coast

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

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

(2) Little Kennebec/Englishman Bay:

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

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

(3) Addison

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

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

(4) Frenchman's Bay

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

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

(5) Swan's Island

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

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

(6) Isle Au Haut Bay

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

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

(7) Upper Penobscot Bay

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

Western boundary: East of the Sea Urchin Zone Line.

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

Territorial waters surrounding Machias Seal Island and North Rock.

B. Second Rotation

All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

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

(1) The Cutler Shore

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

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

(2) Chandler Bay/Head Harbor Island

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

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

(3) Narraguagus/Pigeon Hill Bay

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

Western boundary: North and East of a line starting at the most southern tip of Petit Manan to EB gong, then South to the northern most tip of Green

Island; then from the southeastern top of Green Island to the northern tip of Petit Manan Island; then from the southern tip of Petit Manan Island to N"2", then to G"1" bell, then True South to the three mile limit.

(4) Cranberry Isle Area

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

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

(5) Lower Blue Hill Bay/Jericho Bay

Eastern boundary: North and West of a line from the southern most tip of 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 Latitude 44 16.913 N Longitude 68 58.508 W.

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

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

Territorial waters surrounding Machias Seal Island and North Rock.

C Third Rotation

All directions are relative to True North (not Magnetic unless specified as such).

Transiting exception:

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

(1) Machias Area

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

(2) Wohoa/Western Bay

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

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

(3) Gouldsboro/Dyer Bay

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

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

(4) Upper Blue Hill Bay/Union River

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

(5) Lower Jericho Bay

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

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

Western boundary: East and south of a line from the southwestern tip of Stinson Neck, Deer Isle west to the eastern tip of Coles Head on 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 Latitude 43 58.279 N Longitude 69 0.249 W at RW "TBI" Mo (A) WHIS, then running southeasterly to meet the three mile limit at intersection Latitude 43 57.629 N Longitude 68 58.991 W. ~~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:

**PROPOSED 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						

Strike this Zone 1 dive calendar page:

<b>PROPOSED CALENDAR</b>
<b>2022-2023 SCALLOP SEASON ZONE 1 DIVE</b>
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							

Strike this Zone 2 drag calendar page:

**PROPOSED 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
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**      **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						

Strike this Zone 2 dive calendar page:

<b>PROPOSED CALENDAR</b>
<b>2022-2023 SCALLOP SEASON ZONE 2 DIVE</b>
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						

Strike this Zone 3 drag calendar page:

**PROPOSED 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	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**      **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						

Strike this Zone 3 dive calendar page:

<b>PROPOSED CALENDAR</b>
<b>2022-2023 SCALLOP SEASON ZONE 3 DIVE</b>
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	
						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):

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

Zone 1 Limited Access Area
  Open
  Closed

DECEMBER 2023 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2024 <span style="color: #e67e22;">19 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2024 <span style="color: #e67e22;">17 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



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

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

Zone 1 Limited Access Area

Open

Closed

NOVEMBER 2023							0 Days
Su	Mo	Tu	We	Th	Fr	Sa	
			1	2	3	4	
5	6	7	8	9	10	11	
12	13	14	15	16	17	18	
19	20	21	22	23	24	25	
26	27	28	29	30			

DECEMBER 2023							20 Days
Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	
31							

JANUARY 2024							0 Days
Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30	31				

FEBRUARY 2024							0 Days
Su	Mo	Tu	We	Th	Fr	Sa	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	
25	26	27	28	29			

MARCH 2024							20 Days
Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	
31							

APRIL 2024							20 Days
Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30					

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

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

Open       Closed

DECEMBER 2023      19 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2024      19 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2024      17 Days						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH 2024      15 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

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

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

Open     Closed

NOVEMBER 2023    8 Days						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER 2023    14 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2024    12 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2024    13 Days						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH 2024    14 Days						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL 2024    9 Days						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

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

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

Zone 3 Limited Access Area
  Open
  Closed

DECEMBER 2023 <span style="color: #e67e22;">11 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2024 <span style="color: #e67e22;">15 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

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

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

Zone 3 Limited Access Area

Open

Closed

DECEMBER 2023 <span style="color: #e67e22;">11 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2024 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2024 <span style="color: #e67e22;">13 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARCH 2024 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
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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:

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

CHAPTER NUMBER AND RULE: Chapter 11 Scallops; 2023-2024 Season

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

Date, time and location of PUBLIC HEARING (*if any*): October 5, 2023 at 6:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

COMMENT DEADLINE: October 16, 2023

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 2023-2024 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 11, 2023 and the last day of the season would be March 21, 2024. For Zone 1, a 60-day season for divers would start on December 5, 2023 and the last day of the season would be April 27, 2024. For Zone 2, a 70-day season for draggers would start on December 1, 2023 and the last day of the season would be March 27, 2024. For Zone 2, a 70-day season for divers would start on November 16, 2023 and the last day of the season would be April 20, 2024. For Zone 3, a 50-day season for draggers would begin on December 4, 2023 and the last day of the season would be March 28, 2024. For Zone 3, a 50-day season for divers would begin on December 7, 2023 and the last day of the season would be March 30, 2024.

DMR proposes to re-establish limited access status for the Sheepscot and Damariscotta Rivers. DMR would maintain existing Limited Access Areas: W. Casco 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. Western Penobscot Bay would be open for harvest based on Zone 1 harvest days.

Harvesting of scallops by hand (diving) is restricted to Rotation C (Third) only for the 2023-2024 season. Harvesting for scallops by dredge gear is restricted to Rotation A (First) only for the 2023-2024 season. Rotation B is closed to all harvest. A new juvenile conservation closure, Green Island/The Brothers, in the Englishmen's/Kennebec River Rotational Area in Zone 2 is proposed for the 2023-2024 season. This rulemaking also proposes to split the Lower Penobscot Rotational Area, creating an annual open harvest based on Zone 2 calendars for state waters that surround Matinicus and outer islands in Zone 2. Lastly, this rule-making proposes to allow scallop harvest to begin starting ½ hour before Augusta sunrise.

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*