

**Notice of Agency Rule-making Proposal**

AGENCY: 13-188-Department of Marine Resources

CHAPTER NUMBER AND TITLE: Chapter 11 Scallops; 2020-21 Season

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

**BRIEF SUMMARY:**

This proposed rule-making establishes the 2020-2021 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 7, 2020 and the last day of the season would be March 18, 2021. For Zone 1, a 60-day season for divers would start on November 17, 2020 and the last day of the season would be April 24, 2021. For Zone 2, a 70-day season for draggers would start on December 1, 2020 and the last day of the season would be March 31, 2021. For Zone 2, a 70-day season for divers would start on November 23, 2020 and the last day of the season would be April 24, 2021. For Zone 3, a 50-day season for draggers would begin on December 1, 2020 and the last day of the season would be March 24, 2021. For Zone 3, a 50-day season for divers would begin on December 3, 2020 and the last day of the season would be March 27, 2021.

Eastern Casco Bay (Zone 1) and Damariscotta River (Zone 1) are proposed as new Limited Access Areas for the 2020-2021 scallop season with reduced harvesting days. Western Casco Bay (Zone 1) is proposed to close under the targeted closures based on local depletion. In Zone 2, territorial waters surrounding Machias Seal Island and North Rock would be open to harvest all days during January 2021, in addition to open Zone 2 calendar days throughout the 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, Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge.

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

COMMENT DEADLINE: October 9, 2020

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

NAME: Amanda Ellis  
 MAILING ADDRESS: 21 State House Station, Augusta, Maine 04333-0021  
 E-MAIL: dmr.rulemaking@maine.gov  
 TELEPHONE: 207-624-6573  
 FAX: 207-624-6024  
 TTY: 207-624-6500 (Deaf/Hard of Hearing)

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/>

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: dmr.rulemaking@maine.gov

\* 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
010	13A	1120	10	4946				

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~~ 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.

~~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 drawn 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.~~

~~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 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 Kehail Point running northeasterly to the most southern point of Barters Island and continuing southeasterly to the most northwestern tip of Sawyer 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 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 ~~4, 5, 11 and 12, 2020; 6, 7, 13, 14 and 20, 2019;~~ March ~~12, 13, 19, 20, 26 and 27, 2021; 13, 14, 20, 21, 27 and 28, 2020;~~ and, April ~~2, 9 and 16, 2021; 3 and 10, 2020;~~ except for Whiting and Dennys Bays Area (4) which shall be open to divers on December ~~5, 12, 19 and 26, 2020; 7, 14, 21, and 28, 2019;~~ January ~~2, 9, 16, 23 and 30, 2021; 4, 11, 18 and 25, 2020;~~ February ~~6, 13, 20 and 27, 2021; 1, 8, 15, 22 and 29, 2020;~~ and, March ~~6, 13 and 20, 2021. 7, 14, 21 and 28, 2020.~~ All directions are relative to True north (not magnetic).

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on January ~~4, 11, 18 and 25, 2021; 6, 13, 20 and 27, 2020;~~ February ~~1, 8, 15 and 22, 2021; 3, 10, 17 and 24, 2020;~~ and, March ~~1, 8 and 15, 2021; 2, 9, 16 and 23, 2020;~~ except for Whiting and Dennys Bays Area (4) which shall be open to draggers on December ~~7, 14, 21 and 28, 2020; 2, 9, 16, 23 and 30, 2019;~~ January ~~4, 11, 18 and 25, 2021; 6, 13, 20 and 27, 2020;~~ February ~~1, 8, 15 and 22, 2021; 3, 10, 17 and 24, 2020;~~ and, March ~~1, 8, 15 and 22, 2021; 2, 9, 16 and 23, 2020.~~ All directions are relative to True north (not magnetic).

Transiting exception:

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

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

1. Eastern Casco Bay Area:

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.

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

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

## 2. 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.

## ~~2. Sheepscot River Area:~~

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

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

~~Western boundary: East of a line drawn at the most northern tip of Soldier Point 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.~~

## 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.

#### 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 7, 2020 through March 18, 2021, ~~December 9, 2019 through March 26, 2020~~, both days inclusive, with the following exceptions:

- A. In December 2020 ~~2019~~, fishing is prohibited on Fridays, Saturdays and Sundays; ~~and December 25 and 26, 2019.~~
- B. In January 2021 ~~2020~~, February 2021 ~~2020~~, and March 2021 ~~2020~~, 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 17, 2020 through April 24, 2021, ~~November 14, 2019 through April 30, 2020~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited in the month of November 2020 ~~2019~~ except on days 17, 18, 19, 20, 21, 23, 24, 25, 27 and 28, 2020. ~~14, 15, 16, 20, 21, 22, 23, 27, 29 and 30, 2019.~~ In the month of December 2020 ~~2019~~, fishing is prohibited on Sundays, Mondays, and Tuesdays; and also December 25, 2020 ~~2019~~.
- B. Fishing is prohibited in the month of January and February 2021 ~~2020~~.
- C. In the month of March 2021 ~~2020~~, fishing is prohibited on Sundays, Mondays and Tuesdays, ~~except Tuesday, March 31, 2020;~~ and, also on days 3 and 4, 2021. ~~4, 5, 6, and 7, 2020.~~
- D. In the month of April 2021 ~~2020~~, fishing is prohibited on Sundays and Mondays.

##### 3. Zone 2 season for draggers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 2 is open December 1, 2020 through March 31, 2021, ~~December 2, 2019 through March 31, 2020~~, both days inclusive, with the following exceptions:

- A. In December 2020, ~~2019~~, fishing is prohibited on Fridays, Saturdays and Sundays, ~~except Friday, December 27, 2019, which shall remain open. Fishing is prohibited on December 25, 2018.~~

- B. In January ~~2021~~ 2020, February ~~2021~~ 2020 and March ~~2021~~ 2020, 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 23, 2020 through April 24, 2021, ~~November 18, 2019 through April 18, 2020~~, both days inclusive, with the following exceptions:

- A. In the month of November 2019, fishing is permitted on days 23, 24, 25, 27, 28 and 30, 2020. ~~18, 19, 23, 25, 26 and 30, 2019~~. December ~~2020~~ 2019, fishing is prohibited on Sundays, Mondays and Tuesdays; and also, December 25, 2020. ~~Wednesday 25, 2019~~.
- B. In the months of January and ~~February~~ March ~~2021~~ 2020, fishing is prohibited on Sundays, Mondays, ~~and~~ Tuesdays, Wednesdays and Thursdays; ~~and also, January 1, 2020~~.
- C. In the months of February 2021, ~~March and April 2020~~, fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays.
- D. In the month of April 2021, fishing is prohibited on Thursdays and Sundays.

5. Zone 2 State Waters season

In addition to the dates identified for draggers and divers in Zone 2 in sections 3 and 4 above, the Atlantic Sea Scallop harvesting season in Maine's territorial waters around Machias Seal Island and North Rock is open January 1, 2021 through January 31, 2021, ~~2, 2019 through December 31, 2019~~, 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 1, 2020 through March 24, 2021, ~~December 2, 2019 through March 25, 2020~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the month of December 2020. ~~2019, and prohibited on, December 25, 2019~~.
- B. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the months of January, February and March 2021. ~~2020~~.

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 3, 2020 through March 27, 2021, ~~December 5, 2019 through March 28, 2020~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of December ~~2020; 2019;~~ and January, February, and March ~~2020.~~ fishing is also prohibited on December 25, 2020.
- B. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of January, February and March 2021.

**Strike this Zone 1 drag calendar page:**

**PROPOSED CALENDAR**  
**2019-2020 SCALLOP SEASON ZONE 1 DRAG**  
 60 days; 12 LAA days



Zone 1 Limited Access Area



Open



Closed

**NOVEMBER 2019**      **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 2019**      **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 2020**      **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 2020**      **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

**MARCH 2020**      **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 2020**      **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	



Strike this Zone 2 drag calendar page:

**PROPOSED CALENDAR**  
**2019-2020 SCALLOP SEASON ZONE 2 DRAG**  
 70 days

Open     Closed

**NOVEMBER 2019**      **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 2019**      **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 2020**      **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 2020**      **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

**MARCH 2020**      **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 2020**      **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:

**PROPOSED CALENDAR**  
**2019-2020 SCALLOP SEASON ZONE 3 DRAG**  
 50 days; 17 LAA days



Zone 3 Limited Access Area



Open



Closed

**NOVEMBER 2020**      **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 2019**      **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 2020**      **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 2020**      **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

**MARCH 2020**      **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 2020**      **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:

# PROPOSED CALENDAR

## 2019-2020 SCALLOP SEASON ZONE 1 DIVE

60 days; 13 LAA days

Zone 1 Limited Access Area

Open

Closed

**NOVEMBER 2019**      **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 2019**      **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 2020**      **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 2020**      **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 2020**      **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 2020**      **22 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:

# PROPOSED CALENDAR

## 2019-2020 SCALLOP SEASON ZONE 2 DIVE

70 days

Open     Closed

NOVEMBER 2019    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

DECEMBER 2019    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 2020    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	31	

FEBRUARY 2020    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 2020    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	31				

APRIL 2020    20 Days						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Strike this Zone 3 dive calendar page:

**PROPOSED CALENDAR**  
**2019-2020 SCALLOP SEASON ZONE 3 DIVE**  
 50 days; 17 LAA days



Zone 3 Limited Access Area



Open



Closed

**NOVEMBER 2019**      **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 2019**      **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 2020**      **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 2020**      **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 2020**      **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 2020**      **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):

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 1 DRAG</b>
60 days; 11 LAA days



Zone 1 Limited Access Area



Open



Closed

NOVEMBER 2020							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 2020							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 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							

FEBRUARY 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							

MARCH 2021							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 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		

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

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 1 DIVE</b>
60 days; 13 LAA days



Zone 1 Limited Access Area



Open



Closed

NOVEMBER 2020 <span style="color: #e67e22;">10 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					

DECEMBER 2020 <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	30	31		

JANUARY 2021 <span style="color: #e67e22;">0 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 2021 <span style="color: #e67e22;">0 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						

MARCH 2021 <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			

APRIL 2021 <span style="color: #e67e22;">18 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	

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

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 2 DRAG</b>
70 days

Open     Closed

NOVEMBER 2020      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 2020      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 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	21	23
24	25	26	27	28	29	30
31						

FEBRUARY 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						

MARCH 2021      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 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	



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

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 2 DIVE</b>
70 days

Open     Closed

NOVEMBER 2020 <b>6 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER 2020 <b>17 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JANUARY 2021 <b>10 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY 2021 <b>12 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH 2021 <b>8 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL 2021 <b>17 Days</b>						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

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

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 3 DRAG</b>
<b>50 days; 16 LAA days</b>

Zone 3 Limited Access Area

Open

Closed

NOVEMBER 2020							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 2020							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 2021							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 2021							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 2021							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 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		

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

<b>PROPOSED CALENDAR</b>
<b>2020-2021 SCALLOP SEASON ZONE 3 DIVE</b>
50 days; 16 LAA days

Zone 3 Limited Access Area

Open

Closed

<b>NOVEMBER 2020</b>							<b>0 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
1	2	3	4	5	6	7	
8	9	10	11	12	13	14	
15	16	17	18	19	20	21	
22	23	24	25	26	27	28	
29	30						

<b>DECEMBER 2020</b>							<b>12 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30	31			

<b>JANUARY 2021</b>							<b>14 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	21	23	
24	25	26	27	28	29	30	
31							

<b>FEBRUARY 2021</b>							<b>12 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28							

<b>MARCH 2021</b>							<b>12 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30	31				

<b>APRIL 2021</b>							<b>0 Days</b>
Su	Mo	Tu	We	Th	Fr	Sa	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	
25	26	27	28	29	30		

# 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; 2020-2021 Season

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

DATE AND PLACE OF PUBLIC HEARING: None scheduled

COMMENT DEADLINE: October 9, 2020

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 2020-2021 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 7, 2020 and the last day of the season would be March 18, 2021. For Zone 1, a 60-day season for divers would start on November 17, 2020 and the last day of the season would be April 24, 2021. For Zone 2, a 70-day season for draggers would start on December 1, 2020 and the last day of the season would be March 31, 2021. For Zone 2, a 70-day season for divers would start on November 23, 2020 and the last day of the season would be April 24, 2021. For Zone 3, a 50-day season for draggers would begin on December 1, 2020 and the last day of the season would be March 24, 2021. For Zone 3, a 50-day season for divers would begin on December 3, 2020 and the last day of the season would be March 27, 2021.

Eastern Casco Bay (Zone 1) and Damariscotta River (Zone 1) are proposed as new Limited Access Areas for the 2020-2021 scallop season with reduced harvesting days. Western Casco Bay (Zone 1) is proposed to close under the targeted closures based on local depletion. In Zone 2, territorial waters surrounding Machias Seal Island and North Rock would be open to harvest all days during January 2021, in addition to open Zone 2 calendar days throughout the 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, 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*