

**NOTICE OF AGENCY RULE-MAKING ADOPTION****AGENCY:** Department of Marine Resources**CHAPTER NUMBER AND TITLE:** Chapter 11 Scallops; 2025-2026 Season**ADOPTED RULE NUMBER:**

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

**CONCISE SUMMARY:**

This rule-making establishes the 2025-2026 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 begins on December 8, 2025 and the last day of the season is March 24, 2026. For Zone 1, a 60-day season for divers starts on December 3, 2025 and the last day of the season is April 29, 2026. For Zone 2, a 70-day season for draggers starts on December 1, 2025 and the last day of the season is March 31, 2026. For Zone 2, a 70-day season for divers starts on November 18, 2025 and the last day of the season is April 18, 2026. For Zone 3, a 50-day season for draggers begins on December 1, 2025 and the last day of the season is March 25, 2026. For Zone 3, a 50-day season for divers begins on December 4, 2025 and the last day of the season is March 28, 2026.

DMR will maintain existing limited access areas: Muscle Ridge, and Whiting and Denny's Bays. Additionally, the following existing targeted closures are maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge. New limited access areas include Outer Western Casco Bay, Sheepscot River, and Damariscotta River in Zone 1. Moosabec Reach and Upper Cranberries in Zone 2 are new targeted closures for recovery and rebuilding.

Harvesting scallops by hand (diving) is restricted to Rotation A (First) only for the 2025-2026 season. Harvesting scallops by dredge gear is restricted to Rotation B (Second) only for the 2025-2026 season. Rotation C is closed to all harvest.

**EFFECTIVE DATE:**

(LEAVE BLANK-ASSIGNED BY SECRETARY OF STATE)

**AGENCY CONTACT PERSON:** Deirdre Gilbert (207) 624-6553**AGENCY NAME:** Department of Marine Resources**ADDRESS:** 21 State House Station

Augusta, Maine 04333

**WEB SITE:** <http://www.maine.gov/dmr/rulemaking/>**E-MAIL:** [dmr.rulemaking@maine.gov](mailto:dmr.rulemaking@maine.gov)**TELEPHONE:** (207) 624-6573**FAX:** (207) 624-6024**TTY:** (207) 633-9500 (Deaf/Hard of Hearing)*Please approve bottom portion of this form and assign appropriate MFASIS number.*

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

FUND      AGENCY      S-UNIT      APP      OBJT      AMOUNT

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

010

13A

1120

10

4946

regulations

## DEPARTMENT OF MARINE RESOURCES

### Chapter 11 Scallops

#### 11.01 Definitions

1. Chafing gear or cookies.

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

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

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

3. Drag or dredge bottom.

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

4. Drag or dredge top.

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

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

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

**11.02 Reporting:** See Chapter 8.

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

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

**11.04 Configuration of Scallop Drag**

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

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

- (1) For vessels rigged with a dredge or dredges, and each individual dredge is greater than 8 ft (2.44 m) in width, there must be at least seven rows of non-overlapping steel rings unobstructed by netting or any other material, between the terminus of the dredge (club stick) and the net material on the top of the dredge (twine top).
- (2) For vessels rigged with a dredge or dredges, and each individual dredge is greater than 3.5 ft (1.07 m) and less than or equal to 8 ft (2.44 m) in width, there must be at least four rows of non-overlapping steel rings unobstructed by netting or any other material, between the club stick and the twine top of the dredge.

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

B. Measurement of mesh size.

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

2. Chafing gear and other gear obstructions.

A. Chafing gear restrictions.

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

B. Link restrictions.

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

C. Dredge or net obstructions.

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

### 3. Minimum Ring Size

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

## **11.05 Scallop Harvesting Gear Restrictions**

### 4. State Waters Drag Size Restriction

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

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

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

It shall be unlawful to fish for or take scallops in the Damariscotta River with any scallop drag (chain sweep or rock drag) north of a line drawn from Emerson Point, at the southern most tip of Ocean Point in the town of Boothbay, easterly to Thrumcap Island, then northerly to the southern tip of Rutherford Island, South Bristol from April 16 to ½ hour after sunset December 31 of each year.

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

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

## **11.06 Municipal Mooring Field Closures**

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

Transiting exception:

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

1. Inner Blue Hill Harbor

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

2. Bartlett Landing

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

3. Seal Harbor

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

4. Northeast Harbor

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

5. Somes Sound Harbor

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

6. Western Blue Hill Bay (Blue Hill)

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

7. Pennamaquan River

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

8. Sullivan Harbor

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

## **11.07 Atlantic Sea Scallop Limitations**

2. Atlantic Sea Scallops, Minimum Size

In Maine Territorial Waters, it shall be unlawful to possess Atlantic sea scallops whose shells are less than 4 inches in the longest diameter, effective on December 1, 2004 and thereafter in accordance with 12 M.R.S. §6721(1)(A) & (B).

3. Atlantic Sea Scallops, Night Harvesting Prohibition

Effective November 1, 1986, it shall be unlawful to fish for or take scallops during the nighttime hours between sunset (as defined in 12 M.R.S. §6001(46)) until ½ hour before sunrise (as defined in 12 M.R.S. §6001(45)) within Maine's territorial waters.

4. Atlantic Sea Scallops, Culling Required

Scallops less than the minimum legal size must be immediately liberated. It is prima facie evidence of possession of illegal scallops if a vessel contains scallops smaller than the minimum size while a scallop license holder or crewmember is shucking scallops.

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

A. Shellstock Ratio to Meat Conversion

For the purposes of this regulation, one and a half bushels of shellstock shall be equal to one gallon of scallop meat.

B. Daily Harvest and Possession Limits

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

It is unlawful to fish for, take or possess more than 15 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 15 gallons of meat per day per vessel.

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

It is unlawful for an individual licensed under §6701 or 6302-A for scallop diving to fish for, take or possess more than 15 gallons of scallop meat or any aggregate of meat and shellstock, which is greater than the equivalent of 15 gallons of meat per day.

C. Daily Limit Restrictions

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

## 6. Atlantic Sea Scallops Harvested Seaward of Maine's Territorial Waters

A vessel may possess or land more than 15 gallons of scallop meats per day within Maine's territorial waters only if it meets each of the following requirements:

- A. The scallop meats were harvested seaward of Maine's territorial waters.
- B. The vessel holds a valid current Federal Permit (Title 50(A) §648.4) that authorizes possession of more than 15 gallons of scallop meats per day.
- C. The amount of scallop meats on board does not exceed the maximum amount authorized by the vessel's Federal Permit.
- D. The vessel has all fishing gear (dredges, drags) securely stowed when transiting Maine's territorial waters. Securely stowed shall mean the main wire shall not be shackled or connected to the dredges or drags, and the towing swivel will be at block or on the winch.

### 11.08 Targeted Scallop Conservation Closures

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

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

Transiting exception:

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

#### 1. Lower Muscle Ridge

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



the southwestern point of Pleasant Island and continuing in a southeasterly direction to the northeastern tip of Two Bush Island.

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

2. Eastern Casco Bay

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

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

3. Upper Sheepscot River

Western boundary: East of a line drawn from the most southern tip of Hockomock Point, Woolwich to the most northern tip of Mill Point, Arrowsic Island, and following the shoreline to the Arrowsic Island-Georgetown Island bridge, and then continuing along the northern coastline to the northeast tip of Dry Point, Georgetown Island.

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

Southern boundary: North of a line drawn from the most southern point of Kehail Point running northeasterly to the most southern point of 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. East Moosabec Reach

Western boundary: Inside and east of the Jonesport-Beals Bridge

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.

8. Upper Cranberry Isles

North of a line starting at the eastern point of Seawall Point running northeasterly to the northwestern tip of Spurling Point, Great Cranberry; then continuing along the northern shore of Great Cranberry to Long Point and running northeasterly to the tip of Haddock Point; then continuing along the shore of Little Cranberry to Marsh Head; and then running northerly to Otter Point, Mount Desert Island.

9. Upper Western Casco Bay

Southern boundary: North of a line drawn from the most southwestern point of Basin Point, Harpswell (Harpswell) running southeasterly to the southwestern tip of Bailey Island.

~~7. Lower Sheepscot River~~

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

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

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

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

~~8. — Damariscotta River~~

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

~~9. — Moosabec Reach~~

~~Western boundary: North and east of a line drawn from the eastern tip of Merritt Point, Addison and running easterly to RN "22"; continuing southeasterly to the northern tip of Hardwood Island, then running northeasterly to the northern tip of Pomp Island and ending at the western tip of Indian Point on Beals Island.~~

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

~~10. — Upper Cranberries~~

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

~~11. — Upper Machias Bay~~

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

## **11.09 Limited Access Areas**

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by divers on December 5, 6, 12, 13, 19 and 20, 2025 and April 1, 7, 14, 21 and 28, 2026 in areas 1, 3, 4 and 5 in Zone 1. In area 2 of Zone 3, December 6, 13, 20, and 27, 2025; January 3, 10, 17, 24, and 31, 2026;

February 7, 14, 21 and 28, 2026; and March 7 and 14, 2026. All directions are relative to True north (not magnetic).

~~It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by divers on December 3, 4, 5, 10, 11, 12, 17, 18, 19, 24 and 26, 2024 in areas 1 and 3 in Zone 1; and, December 6, 7, 13, 14, 20, 21, 27 and 28, 2024, January 4, 11, 18 and 25, 2025, and February 1, 8, 15 and 22, 2025 in area 2 in Zone 3. All directions are relative to True north (not magnetic).~~

It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on January 5, 12, 19 and 26, 2026; February 2, 9, 16, and 23, 2026; and, March 2, and 9, 2026 in areas 1, 3, 4 and 5 in Zone 1. In area 2 of Zone 3, December 1, 8, 15, 22, and 29, 2025; January 5, 12, 19 and 26, 2026; February 2, 9, 16, and 23, 2026; and March 2 and 9, 2026. All directions are relative to True north (not magnetic).

~~It shall be unlawful to fish for, take, or possess scallops taken by any method within any of the following Limited Access Areas except by draggers on January 6, 13, 20 and 27, 2025, February 3, 10, 17 and 24, 2025 and March 3, 10 and 17, 2025 in areas 1 and 3 in Zone 1; December 2, 9, 16, 23 and 30, 2024 in area 4 and 5 in Zone 2; and December 2, 4, 9, 11, 16, 18, 23 and 30, 2024, January 1, 6, 13, 20, and 27, 2025, and February 3, 10, and 17, 2025 in area 2 in Zone 3. All directions are relative to True north (not magnetic).~~

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. Outer Western Casco Bay

Northern boundary: South of a line drawn from the most southwestern point of Basin Point, Harpswell (Harpswell) running southeasterly to the southwestern tip of Bailey Island.

Western boundary: ~~South East~~ 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).~~

Southern boundary: North of a line drawn from the northern tip of Jewell Island, running easterly to the R N "2" at Eastern Drunkers Ledge, then continuing north to the southwestern tip of Bailey 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, then continuing to the southeastern tip of Jewell Island.~~

## 2. Whiting Bay and Denny's Bay Area

It shall be unlawful to fish for or take scallops and or urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting Bay and Denny's Bay.

## 3. Muscle Ridge

Eastern boundary: West and South of a line drawn from the most eastern tip of Ash Point, South Thomaston at Latitude 44° 02.805 N Longitude 069° 04.393 W to RW "PA" Mo (A) GONG; then continuing southwest to the northern tip of Two Bush Island.

Western boundary: North of a line starting at the northern end of the Rackliff Island causeway then following the shore to the most southern point of Rackliff Island continuing to the most southern point of Norton Island and then continuing to the most southern point of Whitehead Island then to the southern end of Two Bush Island.

## 4. 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.

#### ~~4. Gouldsboro and Dyers Bay Area~~

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

#### ~~5. Upper Blue Hill Bay Area~~

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

### **11.10 Cobscook Bay Limits and Restrictions**

#### **1. Cobscook Bay.**

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

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

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

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

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

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

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

C. Daily limit.

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

D. Harvester Meat Count

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

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

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

C. Possession.

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

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

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

## 11.11 Open and Closed Scallop Fishing Days

1. Zone 1 season for draggers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for draggers in Zone 1 is open December 8, 2025 ~~9, 2024~~ through to March 31, 2026 ~~20, 2025~~, both days inclusive, with the following exceptions:

- A. In December 2025 ~~2024~~ fishing is prohibited on Fridays, Saturdays and Sundays, and also Thursday, ~~Wednesday~~, December 25, 2025 ~~2024~~, with the exception of Friday, December 27, 2024 which will remain open.

- B. In January, February, and March ~~2026~~ 2025, fishing is prohibited on Fridays, Saturdays and Sundays.

2. Zone 1 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 1 is open December 3, ~~2025~~ 2024 through to April ~~29, 2026~~ 26, 2025, both days inclusive, with the following exceptions:

- A. In the month of December ~~2025~~ 2024, fishing is prohibited on Sundays, ~~and Mondays, and Tuesdays, as well as Thursday~~ Wednesday, December 25 and Wednesday ~~Tuesday~~, December 31, 2025. ~~with the exception of Monday, December 23, 2024 which shall remain open.~~
- B. Fishing is prohibited in the months of January ~~and February 2025~~. In the month of February 2026 and March 2026, fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays.
- C. In the months of ~~March and April~~ ~~2026~~ 2025, 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, 2025 ~~2, 2024~~ through to March 26, 2026 ~~31, 2025~~, both days inclusive, with the following exceptions:

- A. In December ~~2025~~ 2024, fishing is prohibited on Fridays, Saturdays and Sundays, and also Thursday ~~Wednesday~~, December 25, 2025 ~~2024~~, ~~with the exception of Friday, December 27, 2024 which will remain open.~~
- B. In January, February, and March ~~2026~~ 2025, fishing is prohibited on Fridays, Saturdays and Sundays, except for Friday, January 30, 2026 ~~3, 2025~~ which will remain open.

4. Zone 2 season for divers

The Atlantic Sea Scallop harvesting season in Maine's territorial waters for divers in Zone 2 is open November 18, 2025 ~~19, 2024~~ through to April 18, 2026 ~~12, 2025~~, both days inclusive, with the following exceptions:



- A. In the month of November 2025 ~~2024~~, fishing is permitted on days 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29 and 29, 2025 ~~30~~, ~~2024~~. December 2025 ~~2024~~, fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays and also Thursday, December 25, 2025.
- B. In the months of January, February, and March 2026 ~~2025~~-fishing is prohibited on Sundays, Mondays, Tuesdays, and Wednesdays, and also Thursday, January 1, 2026. April 2026 ~~2025~~, fishing is prohibited on Sundays, ~~and~~ Mondays and Tuesdays.

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, 2025 ~~2024~~ through March 31, 2026 ~~2025~~, 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, 2025 ~~2~~, ~~2024~~ through March 25, 2026 ~~26~~, ~~2025~~, both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the month of December 2025 ~~2024~~, and also Wednesday, December 24, 2025 ~~25~~, ~~2024~~.
- B. Fishing is prohibited on Thursdays, Fridays, Saturdays and Sundays in the months of January, February and March 2026 ~~2025~~.

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 4, 2025 ~~5~~, ~~2024~~ through to March 28, 2026 ~~29~~, ~~2025~~ both days inclusive, with the following exceptions:

- A. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the month of December 2025 ~~2024~~ and also Thursday, December 25, 2025 ~~26~~, ~~2024~~.
- B. Fishing is prohibited on Sundays, Mondays, Tuesdays and Wednesdays in the months of January, February and March 2026 ~~2025~~.

## 11.12 Rotational Management Plan

All areas in the Third Rotation as described in 11.12(1)(C) are closed to harvest during the 2025-2026 scallop season.

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 individuals issued a license under §6702 or 6302-A for scallop dragging only.

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

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

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

### 1. Zone Two (2): Eastern Maine

#### A. First Rotation

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

Transiting exception:

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

#### (1) The Bold Coast

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

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

(2) Little Kennebec/Englishman Bay:

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

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

(3) Addison

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

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

(4) Frenchman's Bay

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

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

(5) Swan's Island

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

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

(6) Isle Au Haut Bay

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

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

(7) Upper Penobscot Bay

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

Western boundary: East of the Sea Urchin Zone Line.

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

Territorial waters surrounding Machias Seal Island and North Rock.

B. Second Rotation

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

Transiting exception:

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

(1) The Cutler Shore

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

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

(2) Chandler Bay/Head Harbor Island

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

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

(3) Narraguagus/Pigeon Hill Bay

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

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

(4) Cranberry Isle Area

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

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

(5) Lower Blue Hill Bay/Jericho Bay

Eastern boundary: North and West of a line from the southern most tip of 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

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

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

(4) Upper Blue Hill Bay/Union River

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

Desert Island.

(5) Lower Jericho Bay

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

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

Western boundary: East and south of a line from the southwestern tip of Stinson Neck, Deer Isle west to the eastern tip of Coles Head on Whitemore Neck, Deer Isle; then south to the western most point of Millett Island, then South to Richs Point, Isle Au Haut; then from the southern tip of Eastern Head, Isle au Haut, True South to the three mile limit.

(6) Eggemoggin Reach/Southeast Harbor

Eastern boundary: North and West of a line from the most southeastern point of Stinson Neck, Deer Isle then running to Naskeag Point, Brooklin AND North of a line starting at the most southwestern tip of Stinson Neck, Deer Island running to Coles Point on Whitmore Neck, Deer Island; this includes all of Southeast Harbor.

Western boundary: South and West of the Deer Isle Bridge.

(7) Lower Penobscot Bay & Outer Islands

Northern/Western boundary: South of a line starting at Pulpit Rock, North Haven due West to the Sea Urchin Zone line at Latitude 44 09.551 N Longitude 69 01.510 W and continuing south along the Sea Urchin Zone line to Latitude 43 58.279 N Longitude 69 0.249 W at RW "TBI" Mo (A) WHIS, then running southeasterly to meet the three mile limit at intersection Latitude 43 57.629 N Longitude 68 58.991 W.

Eastern boundary: West of a line starting at Calder Wood Point, Vinalhaven to Fish Point, North Haven; then West of a line from the southern most point of Lane Island, Vinalhaven, True South to the three mile limit.

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



Territorial waters surrounding Machias Seal Island and North Rock.

### **11.13 Trigger Mechanism**

The Commissioner may close any portion of Maine's territorial waters to harvesting through emergency rulemaking if the Department has information that indicates there is a likelihood that between 30 percent and 40 percent of the harvestable biomass has been removed. Such closures are established for conservation purposes, to protect the resource from unusual damage or imminent depletion.

### **11.14 Commercial Scallop License Limited Entry System**

1. Limited Entry Procedure:
  - A. The Department shall hold two annual lotteries for commercial scallop licenses, provided that the number of licenses to be awarded as determined by the respective exit ratios is greater than zero. One lottery will be held for scallop dragging licenses issued under 12 M.R.S. §6702 and one lottery will be held for handfishing scallop or handfishing with tender license issued under 12 M.R.S. §6701.
  - B. Eligible individuals wishing to enter either lottery must submit a lottery application that must be received by the Department by the date specified by the Department, for licenses to be issued in the following calendar year.
  - C. An individual is eligible to enter either the scallop dragging license lottery or the scallop handfishing or handfishing with tender license lottery, but not both, if they meet the following criteria:
    - a. Is a Maine resident and 18 years of age or older;
    - b. Held in any previous calendar year or currently holds any commercial license issued under 12 M.R.S. Part 9, or has in the past or currently is crewing onboard an active commercial scallop vessel;
    - c. Has not been convicted or adjudicated of a marine resources offense that resulted in a license suspension within the last 7 years; and,
    - d. Does not currently possess a license issued under 12 M.R.S. §6701 or §6702.
  - D. The number of draws (chances) allotted to each eligible applicant shall be calculated by the Department.
    - a. Each eligible applicant shall be awarded a minimum of one draw.
    - b. Each eligible applicant shall be awarded one additional draw for every consecutive year they enter each lottery.

- E. Before the lotteries are held the Department shall calculate the number of licenses to be awarded for that calendar year, if any.
- F. The Department shall choose individuals to whom licenses will be awarded through a random selection process. The drawing will continue until all available licenses have been awarded.
- G. The Department will verify an applicant's eligibility for the lottery and any additional chances claimed at the time the individual is drawn. If it is determined that the individual misrepresented or falsified any information on their lottery application that drawing shall be void and the Department will draw another individual.
- H. Once a list of winners has been determined, drawing will continue to establish an ordered list of alternates the same length as the list of winners.

## 2. Exit Ratios

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

## 3. Issuing the Awarded Licenses

- A. Lottery winners will be informed in writing and mailed a license application form by the Department by registered mail. In addition, lottery winners and alternates will be announced on the Department website.

- B. Lottery winners must submit their license application, correctly completed with the correct fees and documentation to the Department within 30 days of receipt of notice, or the winner will lose their license eligibility.
  - C. Any license awarded through misrepresentation or misstatement on the license lottery application shall be void.
  - D. If the winner has not complied with the requirements within 30 days, the next alternate on the list of alternates will be sent a license application and have 30 days to comply in the same manner.
4. Exit/Entry Ratio Review
- A. At a minimum of every two years, the Department shall consult the Scallop Advisory Council concerning potential adjustments to the lottery system.

**Strike out this Zone 1 drag calendar (at the end of Ch. 11):**

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

Zone 1 Limited Access Area
  Open
  Closed

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

JANUARY 2025 <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	31	

FEBRUARY 2025 <span style="color: #e67e22;">16 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 2025 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**Strike out this Zone 1 dive calendar (at the end of Ch. 11):**

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



Zone 1 Limited Access Area



Open



Closed

NOVEMBER 2024 <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

DECEMBER 2024 <span style="color: #e67e22;">20 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 2025 <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 2025 <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 2025 <span style="color: #e67e22;">20 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 2025 <span style="color: #e67e22;">20 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			

**Strike out this Zone 2 drag calendar (at the end of Ch. 11):**

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



Zone 2 Limited Access Area



Open



Closed

DECEMBER 2024 <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	31				

JANUARY 2025 <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 2025 <span style="color: #e67e22;">16 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 2025 <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					

**Strike out this Zone 2 dive calendar (at the end of Ch. 11):**

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

☐ Open
 ☐ Closed

NOVEMBER 2024 <span style="color: #e67e22;">9 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 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				

JANUARY 2025 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025 <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	

MARCH 2025 <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
30	31					

APRIL 2025 <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			

**Strike out this Zone 31 drag calendar (at the end of Ch. 11):**

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



Zone 3 Limited Access Area



Open



Closed

DECEMBER 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	30	31				

JANUARY 2025 <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	30	31	

FEBRUARY 2025 <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	

MARCH 2025 <span style="color: #e67e22;">12 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					



**Strike out this Zone 3 dive calendar (at the end of Ch. 11):**

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



Zone 3 Limited Access Area



Open



Closed

DECEMBER 2024 <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 2025 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2025 <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	

MARCH 2025 <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
30	31					

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

<b>FINAL CALENDAR</b>
<b>2025-2026 SCALLOP SEASON ZONE 1 DRAG</b>
60 days; 11 LAA days

Zone 1 Limited Access Area
  Open
  Closed

DECEMBER 2025 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JANUARY 2026 <span style="color: #e67e22;">16 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 2026 <span style="color: #e67e22;">16 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 2026 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

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

<b>FINAL CALENDAR</b>
<b>2025-2026 SCALLOP SEASON ZONE 1 DIVE</b>
60 days; 11 LAA days



Zone 1 Limited Access Area



Open



Closed

NOVEMBER 2025 <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						

DECEMBER 2025 <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			

JANUARY 2026 <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 2026 <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

MARCH 2026 <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				

APRIL 2026 <span style="color: #e67e22;">21 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):

FINAL CALENDAR

2025-2026 SCALLOP SEASON ZONE 2 DRAG

70 days

Open

Closed

DECEMBER 202518 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 202618 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 202616 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 202618 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>FINAL CALENDAR</b>
<b>2025-2026 SCALLOP SEASON ZONE 2 DIVE</b>
70 days

☐ Open
 ☐ Closed

NOVEMBER 2025 <span style="color: #e67e22;">9 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 2025 <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 2026 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY 2026 <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

MARCH 2026 <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				

APRIL 2026 <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		

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

<b>FINAL CALENDAR</b>
<b>2025-2026 SCALLOP SEASON ZONE 3 DRAG</b>
<b>50 days; 15 LAA days</b>



Zone 3 Limited Access Area



Open



Closed

DECEMBER 2025 <span style="color: #e67e22;">14 Days</span>						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JANUARY 2026 <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 2026 <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

MARCH 2026 <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>FINAL CALENDAR</b>
<b>2025-2026 SCALLOP SEASON ZONE 3 DIVE</b>
50 days; 15 LAA days



Zone 3 Limited Access Area



Open



Closed

DECEMBER 2025 <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 2026 <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 2026 <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

MARCH 2026 <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				

## **Basis Statement**

This rule-making establishes the 2025-2026 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 begins on December 8, 2025 and the last day of the season is March 24, 2026. For Zone 1, a 60-day season for divers starts on December 3, 2025 and the last day of the season is April 29, 2026. For Zone 2, a 70-day season for draggers starts on December 1, 2025 and the last day of the season is March 31, 2026. For Zone 2, a 70-day season for divers starts on November 18, 2025 and the last day of the season is April 18, 2026. For Zone 3, a 50-day season for draggers begins on December 1, 2025 and the last day of the season is March 25, 2026. For Zone 3, a 50-day season for divers begins on December 4, 2025 and the last day of the season is March 28, 2026.

DMR will maintain existing limited access areas: Muscle Ridge, and Whiting and Denny's Bays. Additionally, the following existing targeted closures are maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge. New limited access areas include Outer Western Casco Bay, Sheepscot River, and Damariscotta River in Zone 1. Moosabec Reach and Upper Cranberries in Zone 2 are new targeted closures for recovery and rebuilding.

Harvesting scallops by hand (diving) is restricted to Rotation A (First) only for the 2025-2026 season. Harvesting scallops by dredge gear is restricted to Rotation B (Second) only for the 2025-2026 season. Rotation C is closed to all harvest.

The proposed rule was modified based on comments received as follows:

1. Zone 1 Dive Calendar Limited Access Days (11.09) were removed from January 2026 and placed into April 2026 (5 days total).
2. Zone 1 Dive Calendar (11.11) was amended to move 10 harvest days from January 2026 into April 2026.



## Summary of Comments

Notice of this proposed rulemaking appeared on September 17, 2025 in the five major daily newspapers and also published on the Secretary of State website. On September 17, 2025, 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. A public hearing was held at 5:00 p.m. on October 6, 2025 at the DMR's Augusta office and remotely via Microsoft Teams. The comment period closed on October 17, 2025.

### **October 6, 2025: DMR's Augusta office and Remotely via Teams**

*In-person participants: Deirdre Gilbert (DMR), and Melissa Smith (DMR). Remote participation included: Brian Soper (Harpowell) and Carl Huntsberger (DMR).*

#### **Brian Soper, Harpswell, Zone 1 Scallop Diver**

My name is Brian Soper. I started diving when I was 19 years old. My first dives were made in the Bagaduce River in Castine ME. I've been diving for 48 years. I have thousands and thousands of hours of diving on the coast of Maine. So yeah, I got a little knowledge here.

This schedule was created by draggers and Zone 2 divers on the coast of Maine without any representation from Zone 1 divers at all. We have a totally different situation down here. Zone 2 divers have no idea what our challenges are. Zone 2 draggers and Zone 1 draggers have no idea what our challenges are. We don't have nearly the bottom nor the amount of scallops that they work on in those areas for them to say when we should work and when we shouldn't work what's right and what's wrong, I have a real problem with that. It's my #1 issue.

This schedule that's been created for me, a schedule that has less than four or five work days in it, especially in the winter time, especially in the month of January and February, is dangerous and reckless, and I know it's all up to us when we get to go, but you've taken over 30% of my schedule and put it in the worst months of the year, January and February. And I understand that another diver requested the month of February. I'm not going to fight about that. I'm not going to fight over it because he has just as much experience as I do, but taking my days that could be in different months that are safer is reckless and dangerous by the committee and the state of Maine, as far as I'm concerned.

Working January, when we do not really need to, when we can have our days in March and April and especially putting my limited access days in January which are the most valuable days that we have in Casco Bay. But you're opening up, two other limited access areas this year in zone one. On that, these limited access areas are very important to us. They make up the largest days and I have a record of this. My log books, my largest days I had last year, were the limited access days.

The few in Zone 2, or whoever the powers to be out there, the committee, they want our schedule to mimic the Zone 2 schedule. Well, Zone 2 has 10 more days than we do. If you want me to mimic that schedule, then give me the 10 days that they have to waste. So if you want to have January days, February days, give me 10 more days that I can put on the end of the season in April.

This all got started with our previous Commissioner, how we got a season that goes year round. How our days he brought us all together as divers. Quite a few years ago, when we were given a 50 day or pushed into a 50 day season, he asked us what could we do to help the divers of the coast of Maine, Zone 1 divers, whoever.

And this is what we came up with was taking our 50 days and using them in the best way that we could. Well fishing in January is not using my days the best as they can. It's a bad time to be diving.

I'd like to know who I might be messing up their schedule or whatever. I know myself. I know one other person that works a minimum of 20 days in this season, but besides that I don't know who the other persons are or how many of them are out there. So that's what I'd like to know. And I would like to be able to work on a schedule with those people if they're upset with the schedule that I'm proposing.

We had discussed apprentice coming up and I listened to that meeting and what everybody had to say and the number one thing about training with an apprentice is our schedule. If you truly have any, you know, if it's that you want to train an apprentice in the state of Maine. Well give us a schedule that we can train somebody and not by taking 30% of my days and putting them in days that really can't be fished if you don't have a five day work week.

The opportunity to first of all, even in good days, even in December, even in March and April, except for the month of April, working three days out of five, is almost impossible. When you get into the months of January and December. Given five days, you might get one day giving us two days is just ridiculous. Two days is not a schedule for a diver to work.

In the state of Maine, on the coast, in what we do, so that is reckless and dangerous to even propose a schedule like that, and then to talk about apprentices. Young divers, new divers into a schedule like that is ridiculous.

I'm taking on an apprentice this year and I expect to take him out and teach him the right way to scallop dive and if the right day, the way to scallop dive in zone one is to set on the bank and then just keep the schedule all right.

The other thing is if there's a great need for us to work in the month of January, at least give us blocks of time. Meaning out of a month you put in a five day block. So during a five day or a seven day period you might get one or two days to fish.

Only that, since this type of fishery, it is that people can go and do other things. Oh, I can't dive this week. I can't dive this month. I can go out and shovel snow. I can plow snow. I can get work, I can do things but holding out for two days that we might be able to go fishing if the weather's right. It's just not right, alright.

#### **Written Comments:**

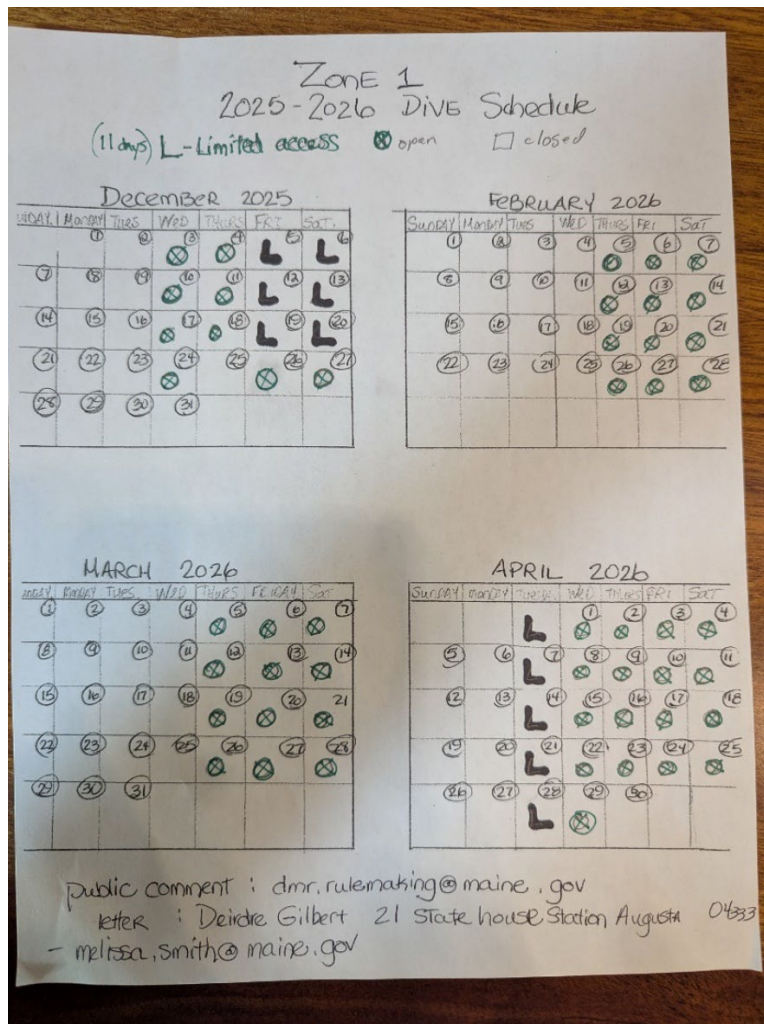
##### **Reginald House, Walpole - received by email, September 25, 2025**

I would like you to open the Damariscotta river and the Sheepscot river for fishing this year. There are only a few fishing this area and it would be nice to have a place close by to work. I fished both areas the last time it was open and it looked healthy. There were spots we could not

get too because of weather and it would be nice to try. The upper Sheepscot had dead ones above the narrows but between Barter's Island and the narrows were fine.

**Brian Soper, Harpswell - received by email, October 14 & 17, 2025**

This is a reasonable and safer dive schedule for zone 1 divers. This takes in consideration the apprenticeship for new divers as well. [Submitted calendar attached below].



Less than three zone 1 divers dove more than twenty days for 2024/2025 season. Only 8 divers statewide dove over 20 days. These statistics were provided by Rob Watts from the DMR, just so the draggers know.

**Max Burtis, Brunswick - received by email, October 14, 2025**

I am a zone 1 scallop diver, and I would like to provide public comment regarding the proposed 2025-2026 season. I would like to see the January days (open and limited access) moved to April. January is a dangerous time to dive, and I would rather dive these days in April for my own safety and the safety of my tender. I appreciate your consideration.

**Justin Boyce, Stonington - received via email, October 15, 2025**

I like the calendars as proposed. Wish the zone 1 and zone 2 dive lined up better but it is a lot closer than last seasons.

**Brian Preney, Rangeley - received by email, October 17, 2025**

My name is Brian Preney and I have been a scallop diver in the state of Maine since the late 80s. I have seen the proposed schedule for the upcoming season and do not approve of its composure. For the last few years, in the interest of safety, and an attempt to have better weather days and opportunities, we did not dive in January and February. This year, due to reasons which I cannot understand, given the minuscule amount of effort that zone one divers have on the overall scallop industry, January was included in the proposed schedule along with five of our precious limited access area days. Further, due to other reasons that I cannot understand, virtually every Saturday of the season is listed as a dive day. I know that fisherman have to be flexible in Maine and often fisherman will try to fish any good day that there is. But the old format of having regular work day fishing days and then weekends off so that fisherman can enjoy their friends and family when they are most likely to have days off, seems a lot more palatable.

I would propose that the DMR strike the month of January from the zone one schedule and move some, or all of the days into March and April, especially the limited access days. This would be a far more practical and fair schedule for the Zone one divers.

It is not surprising that so much is lost in the formulation of the Zone One schedule as the committee creating the schedule is dominated by the dragger industry. I have noticed that the zone one diver spot is vacant and has been for a little while. Dragger fisherman, and Zone 2 and 3 fisherman, have nothing to worry about from Zone one fisherman and should allow us to have the schedule we want.

**William Hamill, Scarborough - received by email, October 17, 2025**

I am writing to request the DMR to adopt a zone 1 dive calendar with no fishing days scheduled in January and minimal days in February. I think the days should be reappropriated to March and April.

Brian Soper has submitted a schedule that I agree with and think should be adopted.

Zone 1 diving is very dangerous for many reasons. These dangers are greatly compounded by the hazardous and unpredictable winter weather and sea conditions in January and February. It is very difficult for a diver to fish enough to make a reasonable living when they have so much stacked against them. Having the majority of the fishing days in the worst months of the year creates a situation that encourages the diver to go out on days that are not safe where they are risking their life to make a day's pay.

Please adopt a calendar that is more sensible by putting more days in March and April or even May.

**Paul Farmer, Sullivan - received by email, October 17, 2025**

I am submitting comments to have ten days restored to April calendar in zone 1. Last few years the available days in April were extremely important to my dive season. The conditions were safer and more productive. For the younger struggling dive license holders April is a lot safer dive conditions. The only reason the days were changed at the SAC meeting was because of a

few draggers extremely upset that the opportunity was not equal, the actual opportunity is far from equal for the divers, The diver fleet has a tiny impact on the scallop resource and should not be managed by draggers.

### **Department's Response:**

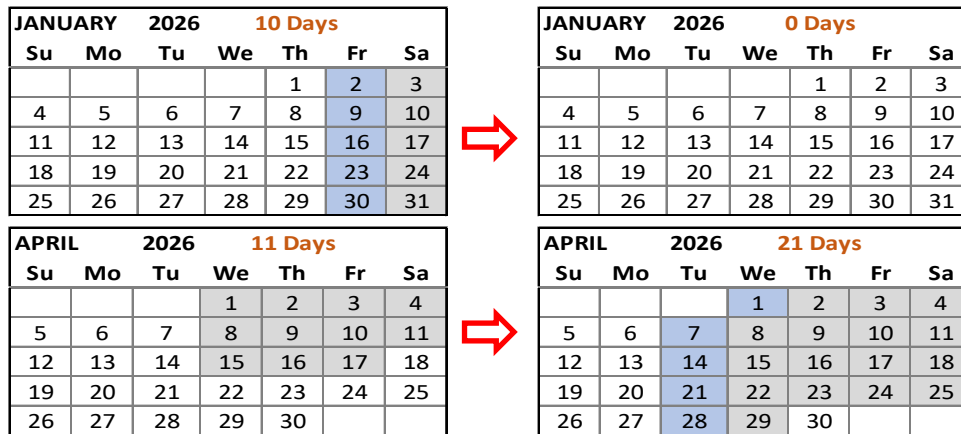
#### *Zone 1 Dive Calendar Days*

There were five comments received in opposition to the proposed Zone 1 Dive calendar and one comment received in support. The primary concern of the 5 active divers is safety. Zone 1 is a more exposed coastline than Zone 2 and January comprises the more hazardous weather conditions. The avoidance of January days in consideration of safety was preferred by most commenters.

Discussion during the Scallop Advisory Council (SAC) meetings over the past few years focused on the stark contrast between the Zone 1 and Zone 2 Dive calendars. Over the last several seasons, Zone 1 divers have preferred to focus their harvest efforts in April while Zone 2 divers appreciate the early harvest days in November. Concerns were raised by Council members over the perceived increased harvest opportunity for divers, should they decide to fish scallops during January and February in other zones. The Department clarified during the SAC meetings that harvester trip reports did not indicate excessive opportunity was an issue among licensed scallop divers. In fact, the average number of days fished in Zone 1 by divers in the past three seasons has been less than 40 days.

Maine's inshore scallop fishery has historically been a mobile fishery, for both dive and drag participants. There are three zones, each with different season lengths as defined by open harvest days ranging from November through April, annually. Zone 3 is the most limited with a 50 day calendar. With in-season closures, seasons have been on average 30 days or less. Routinely, some dive and drag participants in Zone 3 have relocated to other open areas along the coast in either Zone 1 or Zone 2 to finish out their scallop season.

In response to the comments received, the Department has amended the Zone 1 Dive calendar to move the 10 days that were originally proposed in January to April (Figure 1) as requested. Ultimately, this final calendar for Zone 1 Dive is a compromise of opinions heard both during the SAC meetings and the comments received. Compared to the previous calendar year, for the upcoming 2025-2026 season, there will be open harvest days in February.



**Figure 1:** Illustrating the changes made to the proposed Zone 1 Dive calendar.

## 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: 2025-2026 Season

STATUTORY AUTHORITY: 12 M.R.S. §6171

Date, time and location of PUBLIC HEARING (*if any*): October 6, 2025 at 5:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams.

COMMENT DEADLINE: October 17, 2025

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 2025-2026 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 8, 2025 and the last day of the season would be March 24, 2026. For Zone 1, a 60-day season for divers would start on December 3, 2025 and the last day of the season would be April 29, 2026. For Zone 2, a 70-day season for draggers would start on December 1, 2025 and the last day of the season would be March 31, 2026. For Zone 2, a 70-day season for divers would start on November 18, 2025 and the last day of the season would be April 18, 2026. For Zone 3, a 50-day season for draggers would begin on December 1, 2025 and the last day of the season would be March 25, 2026. For Zone 3, a 50-day season for divers would begin on December 4, 2025 and the last day of the season would be March 28, 2026.

DMR would maintain existing limited access areas: Muscle Ridge, and Whiting and Denny's Bays. Additionally, the following existing targeted closures would be maintained: Lower Muscle Ridge, Upper Sheepscot River, New Meadows River, Card Cove and Beals-Jonesport Bridge. Proposed limited access areas include Outer Western Casco Bay, Sheepscot River, and Damariscotta River in Zone 1. Moosabec Reach and Upper Cranberries in Zone 2 are new proposed targeted closures for recovery and rebuilding.

Harvesting scallops by hand (diving) is restricted to Rotation A (First) only for the 2025-2026 season. Harvesting scallops by dredge gear is restricted to Rotation B (Second) only for the 2025-2026 season. Rotation C is closed to all harvest.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [see §§8057-A(1)(E) & 8063-B]

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

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

Enforcement of this rule will not require additional activity in this agency. Existing enforcement personnel will monitor compliance during their routine patrols.