



Greater Atlantic Region Bulletin

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Date Issued: 12/9/2014

Whelk/Conch and Atlantic Sea Scallop Fisheries

Paralytic Shellfish Poisoning Closure Lifted

Effective Date: January 1, 2015

Effective January 1, 2015, the closures referred to as the Northern and Southern Temporary Paralytic Shellfish Poisoning Closed Areas (see figure on reverse) are lifted for gastropod (whelks, conchs, snails) and whole and roe-on scallop harvesting. Please note that the overlapping Essential Fish Habitat Areas will remain closed to all bottom-tending mobile gear, including scallop dredge gear.

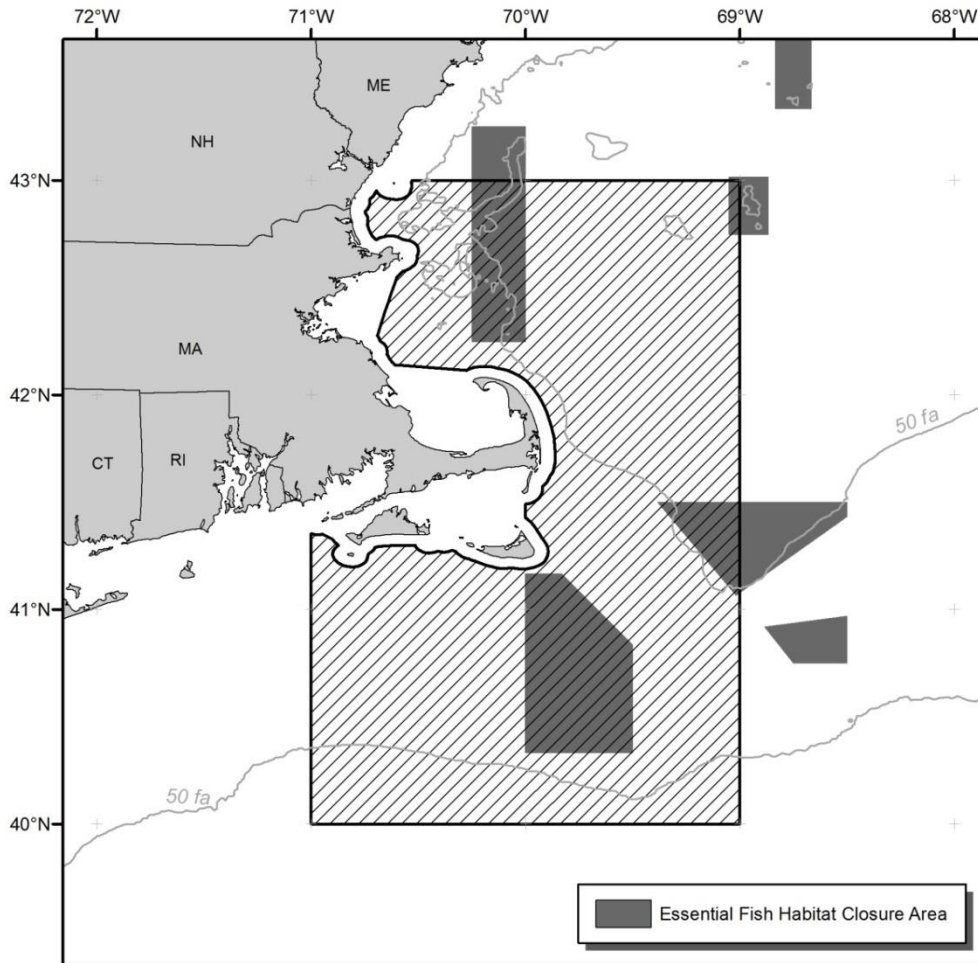
The Commonwealth of Massachusetts Division of Marine Fisheries will be coordinating regular testing of the area. If test results yield samples that exceed the threshold for public safety, they will inform us to that effect, and we would work to reinstate the closure if necessary.

Frequently Asked Questions

Am I responsible for testing harvested gastropods or whole/roe-on scallops?	No. The Commonwealth of Massachusetts Division of Marine Fisheries will be coordinating testing.
How will I be notified if the closure is reinstated?	We will publish a notice in the <u>Federal Register</u> and we will send letters to permit holders. There will also be emails sent out to our email constituent list and the Councils will be made aware as well.
Do I need a Federal permit to harvest gastropods?	No. There is currently no Federal gastropod permit. However, there may be more restrictive requirements in your respective state. Check with your state for more information.
Can I land gastropods caught in my scallop dredge?	Yes. There are currently no Federal regulations for harvesting gastropods with dredge gear, but there may be more restrictive requirements in your respective state. Check with your state for more information.
Where can I get more information on gastropod regulations?	While gastropods are not federally regulated, there are restrictions that apply. Please see page 3 for more information on the whelk/conch fishery.
Does this affect harvesting of scallop adductor muscles?	No. With the exception of the overlapping habitat closures, this area is already open for scallop adductor harvesting.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Greater Atlantic Region.

Northern and southern areas reopened for whole/roe-on scallop and gastropod harvesting beginning January 1, 2015.



Whelk/Conch Fishery Information

The whelk fisheries are not federally managed and no Federal permit is required to land whelk. However, there are other Federal requirements that apply depending on what Federal permits you hold and what fishery you are participating in when harvesting whelks.

We have summarized the regulations below for a couple of common scenarios that could apply. Please be aware that in all cases, your respective state may have more restrictive regulations. Check with your state for more information.

1. If you hold a Federal American Lobster Permit:

- You may catch and land whelks harvested from your lobster traps. All traps must be designed in accordance with lobster gear and Atlantic Large Whale Take Reduction Plan requirements (i.e. vents, tags, lines, breakaways, etc.).
- All traps, either lobster or specifically designed whelk, must be tagged using your current lobster tags issued under your lobster permit. You may not fish additional whelk pots above and beyond your lobster trap allocation.

2. If you do not hold a Federal American Lobster Permit and are fishing whelk pots:

- Your whelk or conch pots do not have to comply with the lobster trap design requirements such as vent and tagging requirements.
- You must comply with certain gear configuration and vertical line requirements. This includes requirements such as weak links, minimum number of traps per trawl, closure areas/seasons, sinking line requirements, and buoy and link marking requirements. For full details you can visit the guides at:

Northeast Guide -

www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/docs/Updated%20Docs%2082514/northeast_trap_pot_final2.pdf

Mid-Atlantic Guide -

www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/docs/Updated%20Docs%2082514/northeast_trap_pot_final2.pdf

3. If you are harvesting whelk with gear other than pots or traps, regardless of permits held:

- You may catch and land harvested whelks. All Federal requirements such as minimum mesh sizes, closed areas, gear, permits, reporting, and any other requirements of the fishery you are participating in still apply.