

DEC weighs limits on whelk harvest

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A sea snail once considered such a thriving predator that it was unlawful for fishermen

to return them to the water will see new limitations on their harvest under rules being prepared by state regulators.

Whelk, also known by local fishermen as conch, will for the first time be subject to a size limit for harvest beginning as early as January 2015, according to the Department of Environmental Conservation, which is writing up the rules because it says the sea snails are "showing signs" of being overharvested. A fishing advisory committee earlier this year recommended against new rules this year, saying the impact on the fishing community would be too great.

The proposed rules, which still are subject to public review, have raised the ire of commercial fishermen who have turned to whelk to help replace losses in the lobster fishery, which last year began an annual 3-month closure in the Long Island Sound from Sept. 8 to Nov. 28.

John German, president of the Long Island Sound Lobstermen's Association, a commercial lobstering group, said the new restrictions on conch would sharply limit the harvest and hurt him and others financially.

"It's going to have tremendous impact, especially from Mount Sinai west, in the Great South Bay and for guys fishing in the Peconic," he said, because conchs there tend to be smaller than those caught farther east. Many lobstermen have altered traps they once used for lobsters to harvest whelk, which enter the pots and can't escape.

German said DEC officials have proposed a 3-inch minimum diameter limit on conch, which translates to a conch of around 5 1/2 inches long. At that size, German said, he'd have to throw back around two-thirds of the whelk he currently keeps. Fishermen would prefer a five-inch minimum, if any. Conch fetch around \$2.60 a pound on the wholesale market.

Peter Constantakes, a DEC spokesman, said the new size limits have not been finalized. In any case, he said, the DEC probably will implement the limits in steps, starting in

January 2015. The next would follow a year later. He said New York would prefer to coordinate size limits with Connecticut, which shares a primary trapping ground for whelk in the Long Island Sound.

German said he urged the DEC not to place new restrictions on Connecticut fishing boats, because that would force Connecticut to do the same to New Yorkers, many of whom hold Connecticut permits and fish in that state's waters.

While specifics about the size of the whelk population aren't available, the DEC said control measures are necessary. "The whelk populations in New York and several other neighboring states are showing signs of overharvest and decline," Constantakes said in an email. "Our primary responsibility is to protect marine resources. In this case, we are moving forward to institute regulations that protect the resource and will continue to consult" with the Marine Resources Advisory Council.

The new rules would also require 17 holders of whelk-only licenses to report their catch to the DEC. Fishermen with multiple state licenses, including whelk, already report their whelk harvest, German said.

In addition to the new whelk rules, the DEC also plans to begin requiring that commercial blue-claw crab pots incorporate a device that prevents diamondback terrapin turtles from getting trapped and drowning. The so-called terrapin excluder is expected to cost around \$1.50 or less per trap to install, but grants could reduce the amount. The excluder would be required starting in January 2015, Constantakes said.

The rules also would prohibit the importation, sale and use of Asian horseshoe crabs.

The whelk reporting and Asian horseshoe crab rules are expected to take effect this summer, Constantakes said.