

DEPARTMENT OF MARINE RESOURCES – SHELLFISH HARVESTING

CHAPTER 13 – WHELKS AND PERIWINKLES

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DEPARTMENT OF MARINE RESOURCES

CHAPTER 13 – Whelks and Periwinkles

13.01 Harvesting of Waved Whelk

1. Definition: Whelk refers to waved whelk (*Buccinum undatum*).
2. It shall be unlawful to fish for or take whelk by any means other than a trap.
 - A. No more than three traps may be fished on a single line and buoy.
 - B. Each buoy and trap must be clearly marked with the Whelk Permit number followed by the letter "W".
 - C. Each whelk trap must have an escape vent located in the bottom half of the trap. The vent shall measure not less than 1 1/2 inches x 1 1/2 inches square or 1 1/2 Inches in diameter, if circular.

Exception: A person who harvests whelks as a by-catch from lobster traps is exempt from the 3-trap limit, the marking requirement and the vent requirement of this regulation.

3. It shall be unlawful to raise, haul, or transfer any whelk trap from any coastal waters during the following time:
 - A. Night. During the period 1/2 hour after sunset until 1/2 hour before sunrise from June 1st to October 31st, both days inclusive.
 - B. Weekends. During the period from 4 PM, Eastern Daylight Savings Time, Saturday, to 1/2 hour before sunrise the following Monday morning from June 1st to August 31st, both days inclusive. Exception: During the period of a Hurricane Warning issued by the National Weather Service in effect for any coastal waters of the state.
4. It shall be unlawful to possess any whelk with an overall shell length of less than 2 1/2 inches.
5. It shall be unlawful to harvest whelks unless the harvester holds a Commercial Fishing – Single license with the Whelk Permit endorsement or a Commercial Fishing – Crew license with the Whelk Permit endorsement*. Any person may take up to 1/2 bushel of whelks for personal use per day without a license or permit. *<http://www.maine.gov/dmr/license/index.htm>
6. During red tide or PSP (paralytic shellfish poison) closures* for carnivorous snails, processors or harvesters of whelks may contact the Department of Marine Resources (DMR), Biotoxin Monitoring Program Director to request targeted testing of an area to determine if an exception area for the harvest of whelks may be created. Contact information: telephone (207) 633-9500, fax (207) 633-9579 or write DMR, Biotoxin Monitoring Program Director, P.O. Box 8, West Boothbay Harbor, Maine 04575.
* http://www.maine.gov/dmr/rm/public_health/closures/pspclosures.htm

13.20 Harvesting of Periwinkles

1. Definitions
 - A. "Periwinkle" means the common periwinkle of the genus *Littorina*.
2. Harvest restrictions

A. Methods of harvest prohibited

It shall be unlawful to fish for or take periwinkles by diver/diving (SCUBA or snorkel), pump, suction or any type of mechanical pumping.

B. Minimum size

It shall be unlawful to take, possess, ship, transfer, transport, buy, or sell undersize periwinkles. For the purpose of this regulation undersize periwinkles will be determined by numerical count as follows:

The numerical count shall be determined by taking a random one quart sample from the bulk pile and then counting the periwinkles to determine the amount of periwinkles in the one quart container. If the one quart sample contains more than 220 periwinkles they will be considered undersize. This method of measurement results in an average taken at the narrowest diameter of the girth of 9/16" or less.

C. Drag size

It shall be unlawful to fish for periwinkles in Maine's territorial waters with any one combination of drags having an aggregate size in excess of 6' in width measuring from the extreme outside edge on one side to the extreme outside edge on the opposite side.

D. Culling requirement

Undersize periwinkles as well as all bycatch must be immediately liberated into marine waters in the area where harvested.

E. Night prohibition

It shall be unlawful to fish for or take periwinkles within Maine's territorial waters by dragging during the period ½ hour after sunset, as defined in 12 M.R.S.A. §6001(46), until ½ hour before sunrise, as defined in 12 M.R.S.A. §6001(45).

F. Personal use exemption

Recreational harvesters may possess up to 2 quarts per day of periwinkles for personal use without a license.

3. License Endorsement

It shall be unlawful to harvest periwinkles unless the harvester holds a Commercial Fishing – Single license with the Periwinkle Permit endorsement or a Commercial Fishing – Crew license with the Periwinkle Permit endorsement*. There will be no additional charge for this permit. *DMR License Division telephone (207-624-6550) or for online information select the following link: <http://www.maine.gov/dmr/license/index.htm>

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