UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
PROGRAM PLANNING AND INTEGRATION
Silver Spring, Maryland 20910

DEC 12 2013

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act, an environmental review has been performed on the following action.

TITLE: Emergency Action to Close Waters to the Harvest of Gastropods Due to Paralytic Shellfish Poisoning (PSP), Environmental Assessment (RIN 0648- BD84)

LOCATION: Exclusive economic zone off the East Coast of the United States

SUMMARY: This action will prohibit the harvest and possession of gastropods from the areas referred to as the Temporary PSP Closed Areas, which are currently closed to the harvest of bivalves, but not gastropods. Gastropods include carnivorous snails and whelks that feed on bivalves. The bivalves, if contaminated with the toxin that causes PSP, transfer the toxins on to the whelk when ingested. While there are not a lot of data available on how susceptible gastropods are to PSP, the little data that are available indicate that gastropods typically have higher levels of PSP and retain it longer than bivalves taken from the same waters. Gastropods feed on bivalve molluscs and may accumulate and retain much higher levels of toxicity. In 2006, a year following the initial closure for the harvest of bivalves, whelk and moon snails were found to contain toxins in excess of the guidance level; however, gastropods were not included in the initial closure because there was no commercial harvest at that time.

The Temporary PSP Closure for bivalves has been in place since 2005, but only imposes a prohibition on the harvest of bivalves. The whelk fishery is a new and potentially expanding fishery. The National Marine Fisheries Service (NMFS) has been informed by a number of harvesters and dealers that there are vessels intending to target the northern component of the Temporary PSP Closure to harvest whelks. The Food and Drug Administration (FDA), in collaboration with the Commonwealth of Massachusetts Division of Marine Fisheries and Department of Public Health, have been actively investigating this issue and, on November 26, 2013, NMFS received a letter from the FDA requesting that NMFS to modify the Temporary PSP Closures to also include a prohibition on the harvest of gastropods. Therefore, based on this recommendation, and the fact that there is now a developing whelk fishery, this action would prohibit the harvest and possession of gastropods from the areas currently defined as the Temporary PSP Closed Areas.

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RESPONSIBLE
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The environmental review process led us to conclude that this action will not have a significant impact on the environment. Therefore, an environmental impact statement was not prepared. A copy of the finding of no significant impact (FONSI), including the supporting environmental assessment (EA), is enclosed for your information.

Although NOAA is not soliciting comments on this completed EA/FONSI, we will consider any comments submitted that would assist us in preparing future NEPA documents. Please submit any written comments to the Responsible Official named above.

Sincerely,

Patricia A. Montanio
NOAA NEPA Coordinator

Enclosure