



ADVISORY COUNCIL ON RECREATIONAL FISHING FUNDING

MINUTES OF NOVEMBER 13, 2012



Location: Senate Hearing Room, 2nd Floor, Legislative Hall, Dover
Div. of Fish & Wildlife: Phone: 302-739-9914, Fax: 302-739-6157

ADVISORY COUNCIL

Eric Burnley, Sr., Chairman
Bill Baker, Sr.
Bernie Pankowski
Floyd Morton III
David Russell (*Absent*)
Sen. Robert L. Venables (*Absent*)
Rep. Gerald W. Hocker
Douglas Valentine
Ronald Horton

DIVISION OF FISH & WILDLIFE

John Clark
Stewart Michels
Larry Horan
David Saveikis, Director
Kim Stangl

PUBLIC

2 Attendees

Agenda Item 1. Opening remarks

Chairman Burnley called the meeting to order at 7:00 PM.

Agenda Item 2. Approval of minutes from April 24, 2012 Meeting

A motion passed to approve the minutes from April.

Agenda Item 3. Introduction of new Construction Manager

Mr. Clark introduced Mr. Larry Horan, who was hired in August as Construction Project Manager. **Mr. Horan** summarized his experience in the construction field beginning with the Army Corps of Engineers, followed by 15 years with a marine construction company, and most recently as a private construction consultant.

Agenda Item 4. Update on construction projects, including docks in ponds

Mr. Horan provided an update on the on-going parking lot maintenance projects. The Collins Beach, McGinnis Pond and Rosedale Beach projects will be delayed until early spring. Eleven other parking lot maintenance projects are planned for next year. He mentioned that the DFW is exploring options to install a fendering system with a bumper on the bulkhead at Phillips Landing to prevent boat damage. The DFW is still awaiting approval and release of restitution funds from the Athos I oil spill and will explore renovation plans to the Seventh Street boat ramp in Wilmington. The idea is to partner with the city to completely renovate this access area. To answer **Mr. Burnley's** question regarding the status of the parking lot at Bowers Beach, **Mr. Horan** stated that the repair work has been completed. **Mr. Pankowski** commented that the large, auxiliary parking lot at Bowers Beach should have the blacktop removed and the area planted with grass. **Mr. Clark and Director Saveikis** explained that the town of Bowers has plans for this parking lot even though current usage is minimal.

Agenda Item 5. Access and construction issues (Records Pond boat ramp access sediment removal, access to Fleetwood Pond, Cape Henlopen fishing pier, potential for a fishing pier at Fox Point)

Mr. Horan explained the sediment removal options for Records Pond and Augustine Beach. The main issue with these two projects is what to do with the dredge spoils. To answer **Mr. Baker's** question regarding where the funds come from to cover these dredging projects, **Director Saveikis** explained that license funds allow for selective maintenance sediment removal of federally funded boat ramps. This sediment removal must enhance the function of the ramp, including clearing sediment that accumulates on the ramp, and allows for limited sediment removal from the ramp to deeper water (i.e. to make the ramp useable). Tests will be run on the sediment which will then allow for better decision-making regarding where the spoils may be accepted for disposal. Discussion took place regarding the severity of the shoaling problem at Massey's Landing, however; the DFW does not have the authority or funds to resolve this problem. **Director Saveikis** assured everyone that the DFW is certainly aware of the problem and willing to consider any obtainable resolution. **Mr. Horan** went over construction requirements necessary to build a fishing pier at Fox Point and estimated that it would cost approximately \$1 million. After some discussion and initial disagreement about pursuing this project, **Mr. Horan** stated that the agency would designate a pier in this location as "catch and release only" due to water quality and fish consumption advisories in the area. The majority then agreed not to pursue this project. On the subject of Cape Henlopen Pier, **Mr. Horan** stated that \$300,000 worth of repairs are needed to make the pier useable after damage caused by Superstorm Sandy. He added that the Division of Parks and Recreation (DPR) has estimated that within two years, an additional \$1 million will be needed to reinforce the substructure of the pier. The DPR has estimates in the range of \$15 million to build a new fishing pier in Cape Henlopen State Park. Some discussion occurred regarding the use of DFW matching funds toward repair costs for Cape Henlopen fishing pier and the conflict with the DFW's federal requirement to offer free fishing access versus the DPR's park entrance fees. Repair costs for this DPR pier cannot come from federal matching funds under the current DPR entrance fee structure. **Mr. Horan** gave an overview of plans to provide additional access to Fleetwood Pond since the

DFW recently acquired property at this site. The **Council** passed a motion to approve the DFW moving forward with plans to provide additional access to Fleetwood Pond. The Council will expect plan details at a future meeting. The Council also passed a motion to approve the DFW proceeding with exploratory plans to remove the sediment at the Records Pond boat ramp. **Mr. Horan** explained plans to place previously used courtesy docks in some DFW ponds that historically had none. Even though the DFW would reuse docks from other locations, placing them in a new location would be considered an improvement, which would require compliance with the Americans with Disabilities Act (ADA). The ADA requires that courtesy docks measure at least 60" wide and the docks in question do not meet this requirement. The DFW was hoping to move forward with this project in a relatively quick and inexpensive way, however; plans would now have to include purchasing new ADA compliant docks.

Agenda Item 6. Adoption of by-laws

Mr. Burnley requested comments or questions be made known regarding the draft Operating By-laws document provided, or if none, that he would entertain a motion to accept. There were a few edits suggested including, **Mr. Baker's** request that the saltwater/freshwater fund appropriation (21% - 79% respectively) be added to the "Mission Statement". **Mr. Michels** explained that this should not be added since the split is subject to periodic change as per federal aid guidelines, and after brief discussion, agreement was reached not to add this information to the by-laws. **Mr. Baker** also suggested adding "Guiding Principles" and a statement regarding the Council's intention to be transparent. It was agreed that these two suggestions be added to the document. The **Council** decided to slightly adjust the voting members to include the State Senator and Representative members among the other seven voting members. The ex-officio DFW member does not have voting rights. There were just a few other minor edits to the draft document. A motion passed to accept the Operating By-laws as amended with corrected document copies for the Council provided at the next meeting.

Agenda Item 7. Public comments

No public comments were made.

Agenda Item 8. Ending remarks and adjournment

Director Saveikis mentioned that Governor Markell recently issued Executive Order 36 which requires all state agencies to review regulations older than 3 years, allow public review, and then to take public comment on these regulations in order to consider and implement necessary updates. The Council agreed that no presentation is necessary on this topic. The Department is also completing a legally required review of its fee structure to include recreational and commercial fishing licenses. This Council will be kept up-to-date on this issue. **Mr. Horton** announced that Delaware Bass Federation won the Mid-Atlantic Division for 2012. **Mr.**

Burnley said the next meeting is tentatively planned for April.

Meeting adjourned at 8:55 PM.

Respectfully submitted,



Kim Stangl
Recording Secretary