



ADVISORY COUNCIL ON SHELLFISHERIES

MINUTES OF MARCH 6, 2014



Richardson & Robbins Building Auditorium, 89 Kings Highway, Dover, DE 19901
Div. of Fish & Wildlife phone: 302-739-9914

ADVISORY COUNCIL

Leonard "Limbo" Voss, Jr., Chairman
Patrick Gaffney
Virgilio Pacelli
Paul Satterfield
Steven Copp (*Absent*)
Richard S. Hand, Jr.
Robert Thompson

DIVISION OF FISH & WILDLIFE

John Clark
Stew Michels
David Saveikis, Director
Chief Bob Legates
Rich Wong
Mike Greco
Sr. Cpl. Jeff Howell
Kim Stangl

PUBLIC

5 Visitors

Agenda Item 1. Approval of Minutes from 3/28/13 Meeting

Chairman Voss called the meeting to order at 6:15 (late start due to technical difficulties) and thanked everyone for their attendance. A motion carried to approve the minutes from March 28, 2013.

Agenda Item 2. Changes to the State Code enabling the Advisory Council on Shellfisheries

Mr. Voss recognized Ms. Lydia Prigg, Director of Boards and Commissions at the Governor's Office, to discuss amending the Shellfish Advisory Council enabling legislation. **Ms. Prigg** explained that she is in the process of reviewing all State boards, commissions and councils in order to update and improve operating procedures. For the Shellfish Advisory Council, she proposed broadening the criteria for Council membership. The **Council** agreed this may be a concern in the future, but saw no need to proceed with legislation to change criteria for Council membership at this time. **Chairman Voss** requested and Ms. Prigg agreed to forward a draft revision of minor Council membership criteria to Mr. Clark.

***Additions to Agenda**

***Announcement of new DFW Chief of Enforcement**

Director Saveikis introduced Chief Robert Legates, who recently accepted the Chief of Enforcement position vacant due to Chief Jim Graybeal's retirement last year. **Chief Legates** gave a brief summary of his résumé. Most recently, he was the Captain of Enforcement's Region 2 Office in Georgetown, having worked his way up through the ranks with the DFW since he was hired in the 1980s. Chief Legates emphasized that his approach is to achieve compliance with laws and regulations through education and needed enforcement actions.

***Clean Water for Delaware's Future**

Chairman Voss recognized DNREC Deputy Secretary David Small who gave a presentation on the new Clean Water for Delaware's Future initiative announced Tuesday by Governor Markell and Secretary O'Mara. **Mr. Small** explained that, even though progress has been made, the purpose of this new initiative is to address the persisting challenges of Delaware's polluted waterways. The presentation was well received by

the Council and **Chairman Voss** voiced his support for the initiative. Mr. Small's presentation is available on DNREC's website: www.dnrec.delaware.gov.

Agenda Item 3. Delaware Bay oyster 2013 survey results and quota for 2014

Environmental Scientist **Mr. Greco** presented the results of the 2013 fall oyster survey. Spat abundance was low for the third year in a row, with the natural oyster beds dominated by market size oysters that were produced by the huge spat set of 2010. Biometrician **Mr. Wong** then discussed the estimated oyster population size and the 2014 commercial quota. The 2014 quota will be 10% lower than the 2013 quota to keep the exploitation rate at or below 3%. Councilmen and oystermen in the audience expressed their disappointment in the quota reduction. Shellfish Sanitation Program Scientist from the Division of Watershed Stewardship, **Mr. Mike Bott**, briefly discussed the new shellfish sanitation regulations and the mandatory harvester training requirements.

Agenda Item 4. Update on Delaware Bay whelk (conch) research

Mr. Wong presented an update on his knobbed and smooth whelk (conch) research. He expects to gain a much better understanding of the age structure of Delaware's whelk population, which will help in managing this resource. He hopes to complete his research before the next meeting of this Council.

Agenda Item 5. Delaware Bay and River 2013 blue crab survey results and outlook for 2014

Mr. Greco presented the results of the 2013 juvenile blue crab survey. The juvenile blue crab index was up slightly from 2012, but was still well below the 35-year time series mean. **Mr. Wong** explained that the juvenile blue crab index is a good predictor of adult blue crab abundance for the following year. The 2014 blue crab harvest is expected to be lower than average based on the low 2013 juvenile index.

Agenda Item 6. Oyster Recovery Fund status

Mr. Clark informed the Council that there is approximately \$165,000 in the Oyster Recovery Fund. He asked the Council to support spending the funds on shell planting. The **Council** agreed, but also asked that a portion of the Oyster Recovery

Fund be spent on a study investigating the effectiveness of oyster bed “cultivation” (pulling an open oyster dredge through an oyster bed to loosen sediment and remove dead oysters to possibly improve conditions for the live oysters). **Mr. Michels** proposed that DFW staff look into available oyster bed cultivation research prior to the Council making a final decision on spending the Oyster Recovery Funds, to which the **Council** agreed.

Agenda Item 7. Topics & Tentative date for the next meeting

Mr. Voss remarked that the next meeting will be scheduled for the fall of 2014 and added that he will contact council members at a later time regarding agenda items for that meeting.

There being no further business, the meeting adjourned at 8:58 PM.

Respectfully submitted,



Kim Stangl
Recording Secretary

