

# ADVISORY COUNCIL ON TIDAL FINFISHERIES



## MINUTES OF SEPTEMBER 16, 2015



Richardson and Robbins Building Auditorium, 89 Kings Highway, Dover, Delaware 19901  
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### ADVISORY COUNCIL

Dewayne Fox, Ph.D., Chair  
Bernard "Bernie" Pankowski  
Brian Hoffecker  
James "Jay" Little  
Marvin Kahl, Jr. (*Absent*)  
P. "Wes" Townsend (*Absent*)  
Joseph Smith

### DIVISION OF FISH & WILDLIFE

John Clark  
Stewart Michels  
David Saveikis, Director  
Lt. Carl Winckoski  
Michael Stangl  
Leslie Reese

### PUBLIC

6 Visitors

#### **Agenda Item 1. Welcome**

**Chairman Dewayne Fox** called the meeting to order at 6:00 PM and welcomed everyone.

#### **Agenda Item 2. Approval of 5/20/15 Meeting Minutes**

A motion carried and the May meeting minutes were approved.

#### **Agenda Item 3. MAFMC Meeting Summary**

**Mr. Stewart Michels, Marine & Shellfish Program Manager**, briefed the Council on the recent Mid-Atlantic Fisheries Management Council (MAFMC) meeting. The MAFMC elected a new Chair, Vice Chair and 2<sup>nd</sup> Vice Chair. There will be further analysis given to an Industry Observer Amendment at the October MAFMC meeting. The Golden Tilefish Fishery Management Plan (FMP) will be amended to address Blueline Tilefish issues, with a range of options to be discussed at the October MAFMC meeting. The 2016 Summer Flounder Allowable Biological Catch (ABC) will be reduced 29% from the 2015 ABC, with additional reductions to the Summer Flounder ABC phased in in 2017 and 2018. The 2016 Scup ABC will be reduced 8% from the 2015 ABC. Massachusetts overfished its 2015 Black Sea Bass commercial quota, which is a further indication of the northward shift of the Black Sea Bass population. Interviews will be conducted with MAFMC Councilors and Commissioners regarding revisions for a comprehensive Summer Flounder Amendment. MAFMC passed gear restrictions to protect Deep Sea Corals. The updated Bluefish assessment requires a 10% reduction in ABC for 2016.

#### **Agenda Item 4. Regulation Update**

**Mr. Stewart Michels, Marine & Shellfish Program Manager**, updated the Council on recent Division of Fish & Wildlife fisheries regulatory actions. The Blueline Tilefish regulation will limit recreational daily possession to 7 (Blueline and Golden combined) and daily commercial to 300 lbs. Black Sea Bass had two season adjustments, the first changed the opening from May 19 to May 15 and closed the split season on September 21 instead of September 19 and the second change modifies the second half of the season to now begin October 22 and end December 31.

#### **Agenda Item 5. Summer ASMFC Meeting Summary**

**Mr. John Clark, Fisheries Administrator**, provided an update on management issues relevant to Delaware from the Atlantic States Marine Fisheries Commission (ASMFC) summer meeting held the first week of August. The Lobster Board declared the Southern New England stock, which includes Delaware, severely depleted, so a major harvest reduction is expected. The new Jonah Crab FMP will allow claws-only harvest in NJ, DE, MD and VA. The new Tautog FMP will manage Tautog regionally rather than coast-wide, with the southern region (DE, MD, VA, NC) not currently experiencing overfishing while being overfished. An ASMFC public hearing on the Tautog FMP will be held Thurs., Oct. 8 @ 6PM in the DNREC Auditorium. The Atlantic Striped Bass Management Board met to review two reports from the Technical Committee on the 2015 harvest reduction estimates. The Atlantic Menhaden assessment is developing ecological reference points (ERPs) that reflect this species' role as a forage species. There may be changes to the current state-by-state and fishery allocation in the next Atlantic Menhaden FMP. Delaware was found to be out of compliance with Addendum III to the American Eel FMP that required states to adopt a 9" minimum size, 1/2"x 1/2" mesh for pots or a 4" x 4" escape panel of 1/2"x 1/2" mesh and a recreational possession limit of 25 per angler with the exception of 50 per day for a for-hire crew or captain. The U.S. Secretary of Commerce will confirm or deny the finding by Sept. 18, at which time an out-of-compliance finding would result in a moratorium on Delaware's American Eel fishery that could be imposed immediately or delayed for up to six months. The Division requested the full six month delay in any moratorium to allow for the legislature to return in January and pass the necessary legislation. Questions were raised by Council about potential issues that could be caused by the moratorium. Jay Little requested more information on the economic value of various fisheries to Delaware.

**Agenda Item 6. Striped Bass Size Limits in Commercial Fisheries**

**Mr. John Clark, Fisheries Administrator**, addressed a waterman’s previous proposal for a smaller Striped Bass size limit (20” vs. 28”) for the fall gill net fishery similar to that for the spring gill net fishery. Since the Atlantic Striped Bass FMP only allows a 20” size limit in the spring to accommodate Striped Bass caught as bycatch in the spring American Shad fishery, the fall size limit has to remain at 28”.

**Agenda Item 7. Informing the Public about Delaware Fishing Regulations**

**Mr. Stewart Michels, Marine & Shellfish Program Manager**, in response to previous public inquiry, stated the best way to communicate/educate the public about shark regulations and proper shark handling was through the fishing guide to supplement any signage on State Parks beaches installed by the Division of Parks and Recreation.

**Agenda Item 8. Director’s Update**

**Mr. David Saveikis, Director of Fish & Wildlife**, updated the TFFAC on legislation passed during the last session. SB108 updates the Code governing the TFFAC. HB153 gives the Division authority to use fishing and hunting license and boat registration data as a recruitment and retention tool, similar to other states that have used their data to increase fishing license and boat registration renewals by 3-5%. HB79 changes the commercial Striped Bass tagging requirement from the time of capture to prior to landing. The Director also asked the Council to consider issuing formal written resolutions for certain Council recommendations instead of depending on the minutes to help clarify Council recommendations, with Council requesting a resolution example for the next meeting.

The Director supplied recent issues of Outdoor Delaware to Council members and pointed out the numerous articles written by F&W staff. It was announced that the Division of Watershed Stewardship’s Little River dredging project was completed on September 15, 2015, which reused the dredge material at the adjacent Little Creek Wildlife Area impoundment to improve wildlife habitat. The Division plans to build a Little River boat ramp in Little Creek in the next two years as part of the Bayshore Initiative. Questions were raised by the Council regarding the Bowers Beach jetty, to which John Clark stated that the Division of Watershed Stewardship was planning improvements to the jetty and associated beach replenishment. The Director explained that additional dredging projects will need a sustainable funding source since the U.S. Army Corp of Engineers no longer maintains most of Delaware’s waterways. A stakeholder taskforce that was formed by the 147<sup>th</sup> General Assembly identified sustainable state waterway maintenance funding options.

**Agenda Item 9. Agenda Items for 10/21/15 Meeting**

1. Economic impact of various fishing sectors.
2. Development of process for writing and submitting resolutions.

The meeting adjourned at 8:05 PM.

Respectfully submitted,



Leslie Reese  
Recording Secretary

