

# ADVISORY COUNCIL ON TIDAL FINFISHERIES



## MINUTES OF SEPTEMBER 13, 2016



Dover Public Library, 35 E. Lookerman Street, Dover, Delaware 19901  
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### ADVISORY COUNCIL

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

### DIVISION OF FISH & WILDLIFE

John Clark  
Stewart Michels  
David Saveikis, Director  
Capt. Nick Couch  
Leslie Reese  
Bruce Cole  
David Small, Secretary

### PUBLIC

2 Visitors

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

**Chairman Dewayne Fox** called the meeting to order at 6:03 PM and welcomed everyone.

#### **Agenda Item 2. Approval of 05/18/16 Meeting Minutes**

A motion carried and the May meeting minutes were approved.

DNREC Secretary David Small addressed the Council, expressing his deep appreciation for the commitment, efforts, and achievements of the Council.

#### **Agenda Item 3. Delaware's Sportfishing Tournament – Bruce Cole, Tournament Director,**

gave a presentation on the annual Sportfishing Tournament. The Tournament's history dates back to the late 1930s and is still an extremely popular program today, receiving over 500 entries in 2015. Two main categories for the tournament are a regular Sportfishing award and a Live Release award. Live Release awards are an increasing percentage of overall entries. Citations and patches are mailed to all anglers who submit qualifying catch entries.

#### **Agenda Item 4. Follow Up on Striped Bass Discussion from May Meeting – Mr. John Clark, Fisheries Administrator,**

stated that an Emergency Order was implemented in June to address an issue discussed at the TFFAC May meeting regarding the Striped Bass regulation unintentionally imposing the recreational slot size limit on the commercial hook and line and fall gill net fisheries. The Emergency Order changed the size limit to 28" with no slot for these commercial fisheries. The Emergency Order has been extended for ninety days and the Division anticipates the full regulation will be in effect by the time the extension expires. Some concerns were mentioned in May regarding continuing the slot size limit in the recreational fishery, which can be changed to only a few other available options. One option is to change to a one fish possession limit of 28" or greater, which can be made without resubmitting to the Atlantic States Marine Fisheries Council (ASMFC) Management Board for approval. The second option is a two fish possession limit of fish either over 33" or in a slot of 28"-34", with these options requiring approval of both the ASMFC's technical committee and Management Board. Our Biometrician, Ed Hale, will determine what size limit (without

a slot) with a two fish possession limit would meet the ASMFC's previously required 25% harvest reduction as a possible replacement for the current recreational slot size limit. His findings and recommendations will be presented at the next meeting. Mr. Clark also shared that there were no changes at this point for the dates of spawning closure.

#### **Agenda Item 5. Mid Atlantic Fishery Management Council (MAFMC) June and August Meeting Update – Mr. Stewart Michels, Fisheries Program Manager,**

shared an update from the June and August meetings. Following a webinar and public comment received at the June meeting, the MAFMC voted to initiate an amendment to consider Blueline Tilefish (BLT) recreational measures and proposed a recreational season from May 1 – October 31, with limits of 7 BLT/person for the inspected for-hire sector, 5 BLT/person for the uninspected for-hire sector and 3 BLT/person for the private sector. The MAFMC approved a plan to include BLT in the Tilefish Fisheries Management Plan (FMP), which, if approved by the Secretary of Commerce, would create a management unit from the NC/VA border to the US/Canadian border. The MAFMC also adopted an Acceptable Biological Catch for BLT of 87,031 lbs. and allocated 73% of this to the recreational sector and 27% to the commercial sector, including a 300 lb. per trip limit for commercial fisherman (gutted-head and fins attached). A mandatory BLT recreational permitting and reporting requirement was also recommended. The MAFMC selected preferred alternatives for Unmanaged Forage in the Omnibus Amendment on Unmanaged Forage Species for submission to the Secretary of Commerce and these alternatives would prohibit the development of new and expansion of existing directed commercial fisheries for 15 taxa (50+ species) in Mid Atlantic federal waters. The MAFMC reviewed multi-year Atlantic Mackerel, Squid and Butterfish specifications, with no changes recommended. The MAFMC approved a draft Environmental Assessment of the Industry Funded Monitoring Omnibus Amendment, which establishes a process for funding catch monitoring across FMPs. MAFMC will consider managing River Herring and Shad as stocks in the fishery at the October meeting. MAFMC took final action on eVessel Trip Reports (eVTR), requiring for-hire vessels with federal permits that land species managed by the Council to file VTRs through an approved eVTR system within 48 hrs of trip completion. No changes to the 2017 and 2018 Bluefish

specifications were recommended, therefore the commercial quota and recreational harvest limit for 2017 will remain at 3.92M pounds and 13.73M pounds, respectively. The 2016 Summer Flounder stock assessment determined that overfishing has been occurring since 2008, with the ASMFC Board and the MAFMC jointly approving a 30% decrease from 2016, resulting in a commercial quota of 5.66M pounds and a recreational harvest limit of 3.77M pounds for 2017. The ASMFC Board and MAFMC jointly set the 2017 Black Sea Bass commercial quota at 2.71M pounds and the recreational harvest limit at 2.82M pounds. The MAFMC also swore in new Council Member Wes Townsend for the obligatory Delaware seat.

**Agenda Item 6. Regulatory Update – Mr. Stewart Michels, Fisheries Program Manager.** The Start Action Notice has been approved to initiate Striped Bass regulation changes to: align regulation with the change in State law regarding commercial fishery tagging timing; clarify that recreational anglers are not required to tag striped bass; address issues related to commercial fishery lost tag reporting and application of weigh station tags; and formally adopt into regulation the Emergency Order provisions eliminating the unintended imposition of the recreational slot size limit on the commercial hook and line and fall gill net fisheries. A Striped Bass regulation public hearing is scheduled for October 24, 2016 at 6PM in the DNREC auditorium. Additional proposed regulation changes are under development to: align the commercial fishermen apprenticeship program with recently enacted HB 341 that expanded apprenticeship eligibility criteria and allows an apprenticeship to be completed in one instead of two years; modify and clarify commercial apprentice fishing permit license lottery procedures; change the shark regulation to provide for the removal of fins from smoothhound where they comprise >25% of the fish retained on a vessel; and change the lobster regulation pertaining to escape vents and Jonah crabs.

**Agenda Item 7. Atlantic States Marine Fisheries Commission (ASMFC) update – Mr. John Clark, Fisheries Administrator,** provided a summary of Board meetings relevant to Delaware from the Summer ASMFC meeting. The ASMFC will be developing a Cobia FMP and could set regulations for Cobia potentially as early as the 2018 season. The Tautog Technical Committee will be updating regional assessments through 2015 for use in the new FMP Amendment. The proposed Sturgeon Critical Habitat

Designation does not include the Delaware Bay at this time. The Board may increase the Atlantic Menhaden Total Allowable Catch 10% for 2017 at the October meeting. The 2016 Striped Bass assessment update is expected at the October meeting. The American Eel Board approved a 200 lb. Glass Eel aquaculture quota for North Carolina for 2017 since the 2016 approval was issued too late to capture glass eels. The Lobster Board is considering a number of management options for the severely depleted Southern New England stock, which includes Delaware.

**Agenda Item 8. ASMFC Atlantic Menhaden Advisory Panel Nominee – Mr. John Clark, Fisheries Administrator,** announced to the Council that Limbo Voss was nominated to represent Delaware on the Panel.

**Agenda Item 9. Director’s Update – Mr. David Saveikis, Director of Fish & Wildlife,** advised the Council of legislation passed in the most recent General Assembly session. SB 261 doubled boat registration fees effective July 1, 2017, with the additional revenue dedicated to waterway dredging and channel marking. HB 341 changed the Commercial Fishing Apprenticeship Program to allow an individual to become eligible for the Commercial Hook and Line permit lottery by completing 150 days in one year instead of two years and expanded commercial hook and line permit lottery eligibility to individuals holding a Merchant Mariner Credential issued by the United States Coast Guard National Maritime Center with the capacity of Master in good standing.

**Agenda Items for 10/19/16 Meeting**

1. Update on potential to reinstate the Governors’ Cup
2. MAFMC October Meeting Update
3. ASMFC Fall Meeting Update
4. Revocation of commercial harvesting licenses for habitual offenders
5. Striped Bass follow up

The meeting adjourned at 7:58 PM.

Respectfully submitted,



Leslie Reese  
Recording Secretary

