

ADVISORY COUNCIL ON TIDAL FINFISHERIES



MINUTES OF JANUARY 18, 2017



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ADVISORY COUNCIL

Dewayne Fox, Ph.D., Chair
Bernard “Bernie” Pankowski
Brian Hoffecker
James “Jay” Little
Marvin Kahl, Jr.
P. “Wes” Townsend
Joseph Smith

DIVISION OF FISH & WILDLIFE

John Clark
Stewart Michels
David Saveikis, Director
Chief Drew Aydelotte
Leslie Reese
Ian Park

PUBLIC

8 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 10/19/16 Meeting Minutes

The October meeting minutes were approved without objection.

Agenda Item 3. Regulatory Update – Stew Michels, Fisheries Program Manager,

stated that those commenting at the October 24, 2016 Striped Bass regulation public hearing favored eliminating slot size limits in all commercial Striped Bass fisheries and adopting commercial Striped Bass tagging timing change as established under House Bill 79. Proposed regulations still under internal review are: changes to the license lottery regulation for consistency with House Bill 341, which allows those with a Master Merchant Mariner Credential to qualify for the commercial hook and line license lottery and reduces the apprenticeship from two years to one year; changes to the shark regulations to provide for the removal of fins from Smoothhound where they comprise more than 25% of the fish retained on a vessel; and changes to the lobster regulations pertaining to escape vents and inclusion of new Jonah Crab regulations.

Agenda Item 4. Mid Atlantic Fishery Management Council (MAFMC) December Meeting Updates – Stew Michels, Fisheries Program Manager,

provided an update on relevant actions from the December MAFMC meeting. The MAFMC voted to recommend that National Marine Fisheries (NMFS) approve New Jersey’s request to designate its 13 artificial reef sites in Federal waters as Special Management Zones, which would restrict fishing gears on these reefs. The MAFMC voted to postpone action on the Industry-Funded Monitoring Amendment until completion of an electronic monitoring pilot project to develop better monitoring cost estimates and analyze monitoring effectiveness. The MAFMC met jointly with the Atlantic States Marine Fisheries Commission (ASMFC) on Summer Flounder, Scup and Black Sea Bass. The MAFMC and ASMFC are reviewing all aspects of Summer Flounder management for draft Amendment 4 to the Summer Flounder Fishery Management Plan (FMP), including goals and objectives, allocation between commercial and recreational sectors, recreational measures and strategies and commercial measures and

strategies. The MAFMC and ASMFC approved conservation equivalency options to be included in draft Addendum XXVIII to meet the Summer Flounder Recreational Harvest Limit of 3.77 M lbs.

Agenda Item 5. Atlantic States Marine Fisheries Commission (ASMFC) update –John Clark, Fisheries Administrator,

summarized the 2016 Annual Meeting and previewed the Winter 2017 Meeting. The Tautog Board elected to create regional working groups that will meet prior to the February 2017 Board meeting to further discuss managing Tautog under the new regional benchmarks and will discuss options for an Amendment at the Winter Meeting. The Spiny Dogfish Board approved the 2017 specifications and Delaware’s quota is 350,333 lbs. The Atlantic Striped Bass Board reviewed the 2015 performance of Addendum IV management measures and will discuss the 2016 Assessment Update at the Winter Meeting. The South Atlantic Board approved for public comment the Public Information Document (PID) for the Interstate Fishery Management Plan (FMP) for Cobia. The Summer Flounder, Black Sea Bass and Scup Board initiated development of Draft Addendum XXVIII to the Summer Flounder FMP to consider alternative management approaches, including regional options, for the 2017 recreational Summer Flounder fishery at the annual meeting and will approve 2017 management options at the Winter Meeting. The Horseshoe Crab Board approved the harvest specifications for Horseshoe Crabs of Delaware Bay origin, setting through the Adaptive Resource Management (ARM) Framework a harvest limit of 500,000 Delaware Bay male Horseshoe Crabs and zero female Horseshoe Crabs for the 2017 season, with Delaware’s quota set at 162,136 male Horseshoe Crabs. The Atlantic Menhaden Board approved a total allowable catch (TAC) for the 2017 fishing season of 200,000 metric tons, a 6.45% increase from the 2016 TAC. At the Winter Meeting, the American Eel Board will review the 2017 Stock Assessment Update and Technical Committee reports on the Maine Life Cycle Survey and the Shad and River Herring Management Board will review the New York, Delaware Basin and Maine Sustainability Fishery Management Plans and consider approval of same. ASMFC held a public hearing in Delaware on the Atlantic Menhaden Amendment 3 Public Information Document, which had eight issues for public comment. Issue one, Biological Reference Points, received the most public comment. ASMFC also held

a Delaware public hearing and accepted comments on Addendum XXVIII to the Summer Flounder FMP on options to meet the 2017 Recreational Harvest Limit (RHL) that will be lowest in history and to reduce recreational harvest by 40% from 2016.

Agenda Item 6. Recreational Striped Bass Size Limits – Slot vs. Minimum Length – John Clark, Fisheries Administrator, presented recreational Striped Bass size limit alternatives to the current slot size limits for Council consideration. The first option, a one fish possession limit at 28” or larger, could be implemented without additional review and approval from ASMFC because this option was approved in Addendum IV, but would require elimination of the current summer slot season. This would result in an expected 33% reduction, exceeding the required 25% reduction. Two other options include a two fish possession limit: the first would have a minimum size of 33” with no summer slot season; the second would have a minimum size of 37” while keeping the current summer slot season. Either of these two options would have to be reviewed and approved by ASMFC before the Delaware regulatory process could begin to implement the change. One Council member had conducted an informal poll and the results indicated that none of these alternatives had more public support than status quo.

Agenda Item 7. Follow up on proposed changes to the Delaware Sportfishing Tournament –Bruce Cole, Environmental Scientist, provided an update on sportfishing tournament program changes. Citation pins, which will replace the citation patches, have been designed and will be ordered soon. Snakehead has been added to the tournament and, although there is no minimum weight or length, the angler must confirm that the snakehead was killed to qualify. Cobia has been added for this year and will require a 45 lbs. minimum weight for a citation or a 48” minimum length for live release award. An Elite Angler Award will be available to all anglers who receive citations for at least five species of fish in a year. Elite Anglers will receive a plaque and will retain their Elite Angler status for life. A special youth category is also being developed for inclusion in the tournament later this year or in 2018. The Sportfishing Tournament Report is forthcoming.

Agenda Item 8. Discussion of Council’s Annual Report to the General Assembly – The Council reviewed and approved the Annual Report and the Chair will arrange to submit the report to the General Assembly.

Agenda Item 9. Revocation of commercial fishing permits for habitual offenders – At Council’s request, David Saveikis, Director of Fish & Wildlife, described the two scenarios for revocation of a commercial finfishing license for fishing violations. The first would be at the discretion of the Director for failure to file monthly reports. The second would be at the discretion of the Department and requires a recommendation from the Council to the Department after the commercial waterman is convicted of three or more 7 Delaware Code Chapter 9 violations in one year. Councilor Kahl made the following motion: the Department will report to the Council any recreational or commercial fisher at the first Council meeting following the third conviction for fishing violations in a calendar year. The motion passed 3 in favor, 1 against and 2 abstentions. This issue will be further discussed at the next meeting.

Agenda Item 10. Director’s Update – David Saveikis, Director of Fish & Wildlife, indicated that the General Assembly is in session, but Fish and Wildlife’s legislative agenda has not yet been finalized.

Suggested Agenda Items for Next Meeting

1. Sheepshead Regulations
2. Artificial Reef Update – Jeff Tinsman
3. Oyster farming update as it relates to recreational fishing access
4. Revocation of commercial harvesting licenses for habitual offenders
5. ASMFC Winter Meeting Update
6. MAFMC February Meeting Update
7. MRIP Update – Garry Glanden

The meeting adjourned at 8:06 PM.

Respectfully submitted,



Leslie Reese
Recording Secretary

