

## **ADVISORY COUNCIL ON WILDLIFE & FRESHWATER FISH MEETING MINUTES**

**TUESDAY, April 25, 2017**

**Richardson & Robbins Building Auditorium  
89 Kings Highway, Dover, Delaware  
Phone 302-739-9912, FAX 302-739-6157**

### **ADVISORY COUNCIL**

- 1. Edward A. Montague, Chair
- 2. Garrett Grier, Jr., Vice Chair
- 3. Raymond F. Burris
- 4. Neal Dukes
- 5. Robert C. Nichols (Absent)
- 6. Craig A. Karsnitz (Absent)
- 7. Joe C. Johnson
- 8. Steven M. Kendus
- 9. Dale R. Scuse

### **DIVISION OF FISH & WILDLIFE**

- 1. Director David E. Saveikis
- 2. Rob Hossler
- 3. Capt. Nick Couch
- 4. Craig Rhoads
- 5. Justyn Foth
- 6. Karen Kennedy

### **PUBLIC**

- 3 Visitors

The meeting was called to order by Chairman Montague at 7:00 PM.

### **Agenda Item 1. Approval of Minutes (Chairman).**

A motion was made, seconded and passed unanimously to approve the March 28, 2017 meeting minutes as written.

### **Agenda Item 2. How Deer Seasons are Established (Rob Hossler).**

In response to a member of the audience's request at the March Council meeting, Rob Hossler, wildlife section administrator, gave a PowerPoint presentation on how Delaware's deer seasons are established. Delaware deer seasons are set in regulation except for handgun season which is set by statute. All regulations and Title 7 can be found on the Division's webpage at [www.fw.delaware.gov](http://www.fw.delaware.gov). Delaware has the following deer seasons:

1. Archery and crossbow seasons are identical and open on September 1 (or September 2 if September 1 is a Sunday) through the last day of January. These seasons are the only seasons that are established with date specific start and end dates.
2. October anterless season consists of all Fridays, Saturdays and Mondays in October except during the October muzzleloader season and the last Monday prior to the opening Friday of the October muzzleloader season.

3. October muzzleloader season starts on the Friday which precedes the second Monday in October (which is always Columbus Day) through the second Saturday that succeeds the Friday opening.
4. The Youth/Disabled Hunt is always the first Saturday in November. This season is available for the non-ambulatory disabled individuals and any youth from 10 to 15 years old. Thirteen through 15 year old hunters must have completed a hunter education course and purchased a junior hunting license. Youth hunters must be accompanied by a by an adult 21 years of age or older and must be of sufficient size and physical strength.
5. November shotgun season opens on the Friday in November that precedes Thanksgiving by thirteen days and runs through the second Sunday succeeding that Friday.
6. December anterless season opens on the second Saturday in December through the third Saturday in December.
7. The January handgun season, created by statute, starts the first Saturday in January through the second Saturday in January.
8. January shotgun season starts on the Saturday that precedes the third Monday in January (which is always Martin Luther King Day) through the following Saturday in January.
9. January muzzleloader season opens the Monday that follows the close of the January shotgun season through the following Saturday.
10. Sunday hunting allows deer hunting on five individual Sundays that occur between the opening and closing dates of the October muzzleloader season and the closing dates of the November, December and January shotgun

seasons and the Sunday at the end of the November shotgun season.

A handout of the projected deer seasons from 2016/2017 through 2020/2021 was provided to Council members and members of the audience.

#### **Agenda Item 3. Proposed Regulation Package Summary (David E. Saveikis & Rob Hossler).**

Director Saveikis provided a summary of the steps for the Division's proposed regulation package under the Administrative Procedures Act (APA). This package is partly an outgrowth from the discussion on the hunting and trapping license fee increase whereby the Division considered providing additional value added hunting opportunities for the public for their license dollar. The ARA process takes approximately five to eight months beginning with a Start Action Notice and ending with the distribution of the final regulations. Director Saveikis stated that the Division is proposing to have draft regulations ready for public comment by July 1, a public hearing held the end of July, and final regulations by September.

Rob Hossler, wildlife section administrator, provided a detailed summary of the Division's proposed regulation package. The proposed regulations are:

#### **Turkey Regulation Changes**

- Formally establish a turkey season and extend it an extra week from 2<sup>nd</sup> Saturday in April through the 5<sup>th</sup> succeeding Saturday.
- Standardize the minimum age of an adult accompanying a youth while turkey hunting to 18.
- Eliminate requirement to wear camouflage and clarify that the prohibition on wearing the colors of white, red, or blue only pertain to external clothing.
- Clarify the types of courses accepted for turkey for specific hunter education requirements.
- Clarify what circumstances a person can possess a wild turkey, establish procedures if turkeys escape from captivity and prohibit the taking of live turkeys or their eggs from the wild.
- Clarify the prohibition of hunting turkeys using the aid of bait or dogs.

#### **Deer Regulation Changes**

- Establish a second Youth/Disabled deer hunt to occur the last Saturday in September.
- Clarify that antlered deer may be harvested with longbows or crossbows throughout the archery and crossbow seasons, including December

anterless seasons and establish the October and December anterless seasons as shotgun season so handguns can be utilized.

- Clarify the Sundays in which deer hunting will be permitted in accordance with recent statute change.
- Extend archery and crossbow seasons to the last day of January or the last day of the January muzzleloader season, whichever is later.
- Clarify the types of allowable tags to be placed on harvested deer and require the deer registration number to be recorded in ink on tag affixed to deer.

#### **Waterfowl/Migratory Bird Regulation Changes**

- Clarify that all crows may be hunted, not just common crows and clarify the procedures for landowners to control crows causing damage.
- Clarify that only youth hunters are allowed to hunt waterfowl during the special youth waterfowl seasons - remove disabled (non-ambulatory).

#### **Small Game Regulation Changes**

- Extend the gray squirrel season one week until the second Saturday in February.
- Allow the use of .17-.22 caliber rimfire or pellet guns to take rabbits south of the C&D Canal.
- Allow the use of .17-.22 caliber rimfire or pellet guns or up to .36 caliber muzzleloader to take raccoons and opossums, as well as animals confined in a trap.
- Establish a definition for "Pen-raised Released Quail."
- Close the wild bobwhite quail season and establish an extended season in which pen-raised release quail may be harvested (from the Monday that immediately precedes Thanksgiving through the second Saturday of February).
- Require anyone releasing gamebirds into the wild to obtain permission from the Division before releasing birds and the release location.

#### **Furbearers/Trapping Regulation Changes**

- Adjust trapping season dates for raccoons in Kent and Sussex Counties to coincide with season dates in New Castle County.
- Lengthen the chase only portion of the raccoon hunting season to open in August instead of September.
- Expand the number of deer seasons in which raccoons may be hunted at night – add October antlerless, January shotgun and January Muzzleloader.
- Adjust weather criteria used to justify a muskrat trapping season extension (more liberal).

- Eliminate annual bag limits for beavers and the need for landowners to request a permit to remove more than eight beavers annually from their property.
- Clarify that legally harvested mink, muskrat, opossum, otter and raccoons may be sold.
- Clarify that it shall be lawful to buy and sell the hides of coyotes or nutria which are legally taken in Delaware or in another state.

#### **Wildlife Area Rule Regulation Changes**

- Prohibit the use of radio-controlled devices, including drones and motorized boats, or launch model rockets on Division owned lands without a permit from the Division Director.
- Prohibit the release of domestic or wild animals onto lands administered by the Division unless they are lawfully permitted during dog training activities.
- Prohibit the use of metal detectors on Division owned lands without a permit from the Division Director.
- Prohibit crabbing and fishing on any dike, water control structure or within any impoundment found on lands administered by the Division.
- Clarify when fishing in wildlife area ponds is permitted on Division owned lands, i.e., not during established hunting seasons.
- Allow non-residents to participate in deer drives conducted on Division owned lands where and when a resident is allowed.

#### **Miscellaneous Regulation Changes**

- Extend the hunting season for falconers for resident game from February 28 to March 31.
- Clarify the rules for obtaining a License Exempt Number (LEN), i.e., cannot obtain a LEN and a hunting/trapping license in the same year and you cannot obtain multiple LEN's in a license year. LEN's are valid for the same annual period as licenses July 1 – June 30.
- Clarify the definition for the phrase "baited field" which will be considered 10 days following the complete removal of all bait.
- Include rabbits in the list of nuisance wildlife that may be controlled within the limits of residential or commercial areas of incorporated cities or towns, or within residential or commercial structures, when they are causing damage.
- Formally define the boundaries of Delaware's wildlife management zones.

A handout was provided to Council members.

Councilman Kendus commended the Division for excellent work in researching these regulation changes and

listening to feedback from the hunters in general as well as members of this Council and addressing many of the value added suggestions.

After discussion, a motion was made by Councilman Burris and seconded by Councilman Kendus for the Division to proceed with the proposed regulation package. The motion was approved unanimously.

#### **Agenda Item 4. Director Update (David E. Saveikis).**

Director Saveikis reported that the Division is on schedule for the Conservation Access Pass (CAP). This CAP is required for all registered motor vehicles to access state wildlife areas effective on July 1, 2017. Licensed hunters will be issued a single vehicle pass free of charge with the purchase of a hunting license. License exempt hunters who use a motor vehicle to access state wildlife areas will be required to purchase the CAP. The CAP may be purchased online, at authorized license agents throughout the state or at the Division's licensing desk in the Richardson & Robbins Building in Dover. When purchasing your hunting license, there will be an option to print a free CAP.

Director Saveikis provided copies of Senate Bill 31 and Senate Amendment 1 to Council members. Senate Bill 31 and the associated amendment introduced by the General Assembly would allow a hunter to use a handgun in lieu of a shotgun on farms enrolled in the Department's deer depredation programs. This legislation passed the Senate on April 6 and is now assigned to the House Natural Resources Committee.

Director Saveikis reported that the Division is working with the Delaware Legislative Sportsmen's Caucus on legislation which changes the handgun calibers used for deer to a range of calibers. They are also working on legislation to allow straight-walled pistol caliber rifles in lieu of a shotgun and during the handgun season.

Chairman Montague and Director Saveikis thanked Rob Hossler for his presentations.

#### **PLEASE NOTE THAT ALL FUTURE COUNCIL MEETINGS WILL BEGIN AT 7:00 PM**

#### **AGENDA FOR THE 5/30/2017 ADVISORY COUNCIL MEETING**

1. Approval of Minutes (Chairman).

2. Wildlife Area Habitat Improvements (Craig Rhoads).
3. Shad Hatchery Update (Johnny Moore).
4. Turkey Harvest Update (Justyn Foth).
5. Director Update (David E. Saveikis).

There being no further business, a motion carried and the meeting adjourned at 8:26 PM.

Sincerely,

A handwritten signature in blue ink that reads "Karen Kennedy".

Karen Kennedy  
Recording Secretary