



DNREC – FISH & WILDLIFE

LEGAL NOTICE

PUBLIC HEARING ON PROPOSED AMENDMENTS TO 7 DE ADMIN CODE 3700 SHELLFISH.

The Department of Natural Resources and Environmental Control (DNREC)/ Division of Fish & Wildlife proposes to amend Delaware's shellfish regulations (7 **DE Admin Code** 3700 Shellfish) to add a new 3723 Jonah Crab and amend 3755 Lobsters; 3756 Lobsters - Pot Design; 3757 Lobsters - Pot, Season And Limits For Commercial Lobster Pot License; and, 3758 Possession Of V-notched Lobsters Prohibited.

Consistent with the mandatory elements of the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan (FMP) for Jonah Crab and its addenda, the proposed measures will:

- Establish incidental and directed landing permits based upon certain criteria;
- Establish Jonah Crab incidental bycatch limits;
- Establish a Jonah Crab minimum carapace width of 4 ¾ inches with no tolerance;
- Establish conditions and limits on the retention of Jonah Crab claws;
- Prohibit the retention of egg-bearing female Jonah Crab; and
- Establish a recreational possession limit of 50 Jonah Crabs per person per day.

This action also proposes to adopt provisions requiring the mandatory removal of lobster pots from February 1 through March 31 in accordance with Addendum XVII to Amendment 3 of the ASMFC's FMP for American Lobster. This action also clarifies that two escape vents are necessary on lobster pots where circular style vents are used and requires that egg-bearing female lobster be V-notched and immediately released.

The proposed amendments may be inspected at the Department's offices located at 89 Kings Highway, Dover, DE 19901, or are available by contacting the Fisheries Section at (302) 739-9914. **A public hearing on the proposed amendments will be held May 23, 2019 at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.**

The hearing record on the proposed amendments to 7 **DE Admin Code** 3700 will be open May 1, 2019 through COB June 7, 2019. Individuals may submit written comments or request additional information regarding the proposed amendments via e-mail to Lisa.Vest@Delaware.gov or via the USPS to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901 (302) 739-9042.

THIS IS THE ONLY TIME THIS NOTICE WILL APPEAR.