

Joint Multi-council Subcommittee Evaluating Fish and Wildlife Violations/Fines

Minutes of January 28, 2020 Meeting, held in the Fish & Wildlife Conference Room, 89 Kings Highway, Dover, DE 19901

Subcommittee Members and Division of Fish & Wildlife Staff:

Wes Townsend, Advisory Council on Tidal Finfisheries, Chair

Nathan Hudson, Advisory Council on Wildlife and Freshwater Fish

Marvin Kahl, Advisory Council on Tidal Finfisheries

Dr. Ed Hale, Council on Shell Fisheries

Lou Papp, Advisory Council on Tidal Finfisheries – Volunteer assigned by Chair to assist committee

Captain Brian Pollock, Delaware Division of Fish & Wildlife, Enforcement Section

John Clark, Delaware Division of Fish & Wildlife, Fisheries Section

The meeting was called to order at 5:01 PM by Chair Townsend

The Subcommittee reviewed the December meeting minutes and the agenda. The Subcommittee approved the December minutes by consent. Overviews of the Subcommittee's activities were presented at the January Advisory Council on Tidal Finfisheries and Council on Shell Fisheries meetings to a generally positive reception.

Review Draft Tiered Matrix for Recreational Shellfish Violations: The Subcommittee briefly reviewed the tiered matrix for developed at the last meeting for the recreational shellfish violations for the number of undersized hard clams and blue crabs in possession. While the Subcommittee agreed the fine structure in the matrix was acceptable, there was concern about the high fine for the Class A offenses. Captain Pollock explained that the fines were set by state law and are limited to the four violation classes defined in 7 Delaware Code § 1304. In addition to the fines, the Subcommittee discussed whether the matrix should address mandatory license revocation, which would also require a change to Delaware Code.

Discuss Adding other Violations to the Tiered Matrix: The Subcommittee discussed the difficulty of adding the number of blue crabs over the possession limit as recreational possession is defined by the bushel, not the number of individual blue crabs. The Subcommittee suggested adding a column to the matrix based on bushels of blue crabs over the limit. The discussion of bushels also led to a discussion of having both an individual and a boat possession limit on blue crab as is done in other states. The Subcommittee recommended setting a boat limit at three bushels. The Subcommittee agreed that this issue should be taken up by the Council on Shell Fisheries.

Agenda Items for Next Meeting: The Subcommittee will discuss the revised tiered violation matrix for recreational shellfish violations and continue to add other violations to the matrix.

The next meeting is scheduled to be held on February 18, 2020 at 5 PM in a conference room in DNREC Headquarters.

The meeting adjourned at 6:05 PM.

DRAFT