

APPROVED BY DS

DATE 9/2/14



START ACTION NOTICE #2016-13

1. TYPE OF ACTION:

Amend

7 **DE Admin Code** 3503 Striped Bass Recreational Fishing Seasons; Methods of Take; Creel Limit; Possession Limit,

7 **DE Admin Code** 3504 Striped Bass Possession Size Limit; Exceptions, and

7 **DE Admin Code** 3505 Striped Bass Commercial Fishing Season; Quotas; Tagging and Reporting Requirements

2. PURPOSE OF ACTION:

This action proposes to amend Delaware's tidal finfish regulations pertaining to the recreational and commercial Striped Bass fisheries. The Department removed an unnecessary harvest constraint (slot size limit) on the commercial fishery that resulted in the needless waste of Striped Bass through Emergency Secretary's Order No. 2016-F-0027, pursuant to 29 **Del. C.** §10119 and 7 **Del. C.** §903(h) (20 **DE Reg.** 6 (07/01/16)). This action proposes to adopt those measures through the normal regulatory process. In addition, the proposed amendments modify Striped Bass tagging requirements for consistency with the recently adopted 7 **Del. C.** §943. Specifically, the amendments provide for tagging of Striped Bass by commercial harvesters at any time prior to landing and clarify that recreational anglers are not required to tag Striped Bass. Several additional measures are proposed to address tracking, reporting and quota management in the commercial fishery, as noted in Addendum III to Amendment 6 to the Atlantic Striped Bass Interstate Fishery Management Plan. Among the measures proposed are: lost tag reporting; application of weigh station tags within 12 hours of landing; and actions to be taken to ensure compliance with commercial reporting and tagging requirements.

3. STATUTORY BASIS:

7 **Del. C.** §901(c & d), §903(e)(2)a & §903(h)

4. DATE OF MOST RECENT REVIEW/AMENDMENT:

The existing 7 **DE Admin Code** 3503, 3504 and 3505 were previously amended May 1, 2015.

5. LIKELY AFFECTED PUBLIC:

Commercial and recreational Striped Bass harvesters, Striped Bass weigh stations, and seafood dealers.

6. PROPOSED SCHEDULE OF ACTIVITIES:

Register Notice Publication – September 2016

Public Hearing – September 2016

Effective Date – November 2016

7. REVIEW COMMITTEE:

Advisory Council on Tidal Finfisheries

8. RESPONSIBLE STAFF MEMBER:
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9. APPROVALS:

Stewart F. Michels 07/28/16
Responsible Staff Member Date

David E. Sailer 07/28/16
Division Director Date