

3502 Striped Bass Spawning Season and Area Restrictions.

(Penalty Section 7 Del.C. §936(b)(2))

1.0 The spawning season for striped bass (*Morone saxatilis*) in Delaware shall begin at 12:01 A.M. on April 1 and continue through midnight on May 31 of each calendar year.

2.0 It is unlawful for any person to take and retain any striped bass during the striped bass spawning season from the Nanticoke River or its tributaries, the Delaware River and its tributaries to the north of a line extending due east beginning at and including the south jetty at the mouth of the C & D Canal, or the C & D Canal or its tributaries.

3.0 It is unlawful for any person to fish a fixed gill net in the Nanticoke River or its tributaries or the C & D Canal or its tributaries during the striped bass spawning season.

4.0 It is unlawful for any person to fish during the striped bass spawning season in the Nanticoke River or its tributaries or the C & D Canal or its tributaries with a drift gill net of multi- or mono-filament twine larger than 0.28 millimeters in diameter (size #69) or a stretched mesh size larger than five and one-half (5 1/2) inches.

5.0 It is unlawful for any person to fish any fixed gill net in the Delaware River north of a line beginning at Liston Point (River Mile 48.06) the southern shore of Appoquinimink River at latitude 39°26'51.00"N and longitude 75°34'46.00"W and continuing due east to the boundary with New Jersey during January, February, March, April or May.

6.0 It is unlawful for any person to fish during the striped bass spawning season defined in 3502 section 1.0 and in the areas defined in 3502 section 2.0 with natural bait using any hook other than a non-offset circle hook when said hook measures greater than three-eighths (3/8s) inches as measured from the point of the hook to the shank of the hook.

8 DE Reg. 1169 (02/01/05)

18 DE Reg. 889 (05/01/15)



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Comment may be submitted to the Hearing Officer

- Orally or in writing tonight
- Via the online comment form at: <https://dnrec.alpha.delaware.gov/public-hearings/comment-form/>
- Via email to: DNRECHearingComments@delaware.gov
- Via USPS to:

Theresa Newman, Hearing Officer
DNREC – Office of the Secretary
89 Kings Highway,
Dover, DE 19901

- The Department will accept public comment through the **close of business on Thursday, March 12, 2020.**

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Proposed Amendments to 7 DE Admin. Code 3502 Striped Bass Spawning Season and Area Restrictions

- Status quo is no fixed gill nets above Liston Point (DE River) from Jan 1 – May 31
- Commercial fishermen requested through the Advisory Council on Tidal Fisheries - opening the Delaware River to anchor gill nets from Jan 1 – May 31
 - Intent of current line not a biological one, but based on potential user conflicts
 - Quota-based management
 - Possible biological implications (discard mortality), may or may not be off-setting level
 - Given expected number of participants and spatial coverage, not a significant concern at the population level
- Enforcement Section had concerns about boater interactions
 - Issue discussed at three meetings
 - A council member, working with DFW Enforcement, proposed as an accommodation, extending the area where fixed gill nets could be fished to the southern shore of the Appo. R.
 - Not in an area highly trafficked by recreational boaters in the spring
 - May reduce drift net/recreational angling interactions
- Division provided draft regulation at Council request
- Council approved taking measure through the reg process; Division did not object

Public Hearing
 7 DE Admin. Code 3502
 Striped Bass Spawning Season and Area Restrictions
 Docket #2019-R-F-0026



February 26, 2020



The Delaware Department of Natural Resources & Environmental Control

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