



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

PHONE: (302) 739-9000
FAX: (302) 739-6242

OFFICE OF THE
SECRETARY

EMERGENCY REGULATION ORDER 2015-F-0007

AUTHORITY

Pursuant to 29 **Del. C.** §10119, the Department of Natural Resources and Environmental Control is adopting amendments to Non-Tidal Finfish Regulation 3304 Creel Limits and Seasons for trout (7 **DE Admin Code** 3304 Sections 3.1.2 and 3.4.2) without prior notice or public hearing in the interest of public safety.

REASON FOR THE EMERGENCY REGULATION ORDER

Delaware's trout season on the designated trout ponds (Newton Pond in Sussex County and Tidbury Pond in Kent County) is established in 7 **DE Admin Code** 3304 as the first Saturday in March (March 7, 2015). However, Delaware is presently under a winter storm warning with predicted snow accumulations of four to ten inches through 1900 Hrs. on Thursday March 5, 2015 (National Weather Service Mount Holly, NJ), the scheduled trout stocking date for the ponds. Furthermore, the two ponds are presently covered in several inches of ice. These unusual circumstances preclude safe trout stocking and present an imminent safety risk to hatchery personnel, Department staff, and the fishing public, who may venture onto unsafe ice in pursuit of trout. As such, for the 2015 calendar year only, the Department hereby amends 7 **DE Admin Code** 3304 Section 3.1.2 to postpone the opening day of the trout season until the second Saturday in March (March 14, 2015) at 0700 Hrs. (7:00 a.m.). The designated trout ponds will remain closed to all fishing until that time.

In addition, the requirement to possess a valid trout stamp to fish in a designated trout pond will also be extended through April 8, 2015 through this action. Accordingly, for the 2015 calendar year only, the Department hereby amends 7 **DE Admin Code**, Section 3.4.2 from "the first Saturday in March through April 1" to "the second Saturday in March through April 8",

Delaware's Good Nature depends on you!

EFFECTIVE DATE OF ORDER

This Emergency Order shall take effect at 12:01 a.m. on March 5, 2015 and shall remain in effect for 60 days.

PETITION FOR RECOMMENDATIONS

The Department will receive, consider and respond to petitions by any interested person for recommendations or revisions of this Order. Petitions should be presented to the Fisheries Section, Division of Fish and Wildlife, 89 Kings Highway, Dover, Delaware, 19901.

ORDER

It is hereby ordered, the 4th day of March 2015 that the above referenced amendments to Non Tidal Finfish Regulation 3304 (7 **DE Admin Code** 3304 Sections 3.1.2 and 3.4.2), a copy of which is hereby attached, are adopted pursuant to 7 **Del.C.** §10119 and supported by the evidence contained herein.



David S. Small, Secretary
Department of Natural Resources
and Environmental Control