

**ADVISORY COUNCIL ON WILDLIFE & FRESHWATER FISH
MINUTES
TUESDAY, OCTOBER 28, 2008
Richardson and Robbins Building Auditorium
89 Kings Highway, Dover, Delaware, 19901
Phone 302-739-9912, FAX 302-739-6157**

ADVISORY COUNCIL

1. Edward A. Montague, Chair
2. J. Richard Berry, Vice Chair
3. David J. Healey
4. Garrett H. Arai
5. Terry Higgins
6. Ted Palmer
7. Al Townsend (Absent)
8. Raymond F. Burris
9. Wayne G. Steele

DIVISION OF FISH & WILDLIFE

1. Ken Reynolds
2. Pat Emory
3. Joe Rogerson
4. Craig Rhoads
5. Rob Hossler
6. Matt DiBona
7. Karen Kennedy
8. Karen Bennett
9. Anthony Gonzon

PUBLIC

3 Visitors

Taped micro-cassettes of this meeting are available for listening at the Richardson & Robbins Building in Dover. For further information contact the Wildlife Section at (302) 739-9912.

The meeting was called to order by Chairman Montague at 7:30 PM.

Agenda Item 1. Approval of Minutes (Vice Chairman Berry).

A motion was made and voted unanimously to approve the September 30, 2008 minutes as written.

Agenda Item 2. Hunter Recruitment and Retention (Matt DiBona).

Matt DiBona gave a presentation on hunter recruitment and retention. A recent survey on the future of hunting and shooting sports, combined with human dimensions research conducted within the waterfowl management community, has indicated that our hunting population is dwindling as the country's rural population declines and society seeks alternative forms of recreation. As revenues from license/stamp sales and excise taxes on sporting goods continue to decrease, there will be associated impacts on waterfowl management, both in terms of our continental population management objectives, as well as our ability to protect critical waterfowl habitats with hunting-derived monies. Mr. DiBona stressed that any recruitment and retention strategies must include a mentoring component, as it has been identified as one of the most important factors influencing new individuals to try hunting.

Agenda Item 3. Eagle Status Report (Anthony Gonzon).

Anthony Gonzon (Environmental Scientist with the Natural Heritage and Endangered Species Program) provided Council with the current status of Delaware's Bald Eagle population. In 2008, forty-six (46) occupied nests were identified in Delaware and an additional 10 inactive nests were monitored. Eight nests occur on wildlife refuges and are fully protected. The remaining 48 nests receive protection from the Bald and Golden Eagle Protection Act. However, irrespective of protections afforded to any nest, Bald Eagles remain sensitive to significant disturbance. Statistical models indicate that nest persistence and abandonment are affected negatively by development within 1 km from a nest site. The models also confirmed that other potential disturbances, such as agricultural practices and periodic boat traffic, had no significant affect on nest persistence and abandonment. Evidence also suggests that Delaware's population is reaching its carrying capacity, meaning available resources for additional birds are decreasing. Currently, 83 development projects are projected within 1 km of 28 eagle nests in

DE, totaling 4156 acres, an increase of 82% from development present in 2002. This evidence is cause for concern for Delaware's population and illustrates threats the future persistence of the species.

Additionally, DNREC has received an estimated 200 unsolicited phone calls from concerned constituents regarding the status of the Bald Eagle and the current protections in place for Delaware. The Bald Eagle population in the lower 48 states neared collapse due to various detrimental events during the 20th century. Given protection under the Endangered Species Act of 1973, the US population rebounded and the species was de-listed in 2007. Currently, two federal laws continue to protect Bald Eagles: The Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. Delaware's current regulations prohibit disturbing Bald Eagles, but do not clearly define disturbance. In order to provide better guidance for constituents regarding disturbance, the Division is beginning a process to draft a revised regulation based on research evidence provided to and the input from a stakeholder group. Mr. Gonzon invited Council to participate in this working group.

Council Members Berry and Burris volunteered. The first meeting of this stakeholder group may be in December in Dover.

Agenda Item 4. Delaware Endangered Species Regulation Status (Karen Bennett).

Karen Bennett, Program Manager, announced that the Division is reviewing regulation "16.0 Endangered Species" to determine which components need to be updated. The last update to this regulation took place in 1999, nearly 10 years ago. The process started in recent months with an internal and external technical review by taxonomic experts to determine which species warrant listing or delisting based on current status information. The criteria for listing and other components of the regulation will also be reviewed. We are not far enough along in the preliminary review process to present a timeline or a draft of the proposed changes. A Start Action Notice has not yet been drafted. Ms. Bennett will keep the Council informed as the review process proceeds.

Agenda Item 5. Deer Stands/Pre Season Lottery (Craig Rhoads).

Craig Rhoads stated that the Division of Fish & Wildlife is considering the option of eliminating the preseason lotteries for deer stands and waterfowl blinds. The need for this change is in response to two issues: a security breach with the online application system and declining numbers of applicants. The security breach was detected this summer and as a result all applications had to be submitted via mail-in paper applications and then hand entered by Division employees. Cost estimates to repair the current on-line system are in excess of \$20,000. Mr. Rhoads went on to say that in recent years hunter participation has decreased on many state wildlife areas such that stands are seldom filled, even on opening days, thus reducing the need for preseason assignments as hunters are seldom if ever turned away due to a lack of available stands. At the current time the Division is looking into other options including purchasing a new online system or eliminating the preseason lottery altogether.

Agenda Item 6. Back Tag (Director Pat Emory).

Director Emory distributed a handout to the Council and the audience on research regarding back tag requirements of other states. This agenda was discussed in June after Mr. George Roof had requested the Council to consider changing the requirement of displaying the hunting license on an outer garment while hunting or fishing in Delaware. Director Emory reported that 37 states were contacted of which 3 had back tag requirements. The three states are New Jersey, Pennsylvania and New York. Director Emory was asked by the Council to provide information also from the Fisheries Section. Director Emory responded that he would go before the Finfish Council at their next meeting. Director Emory also stated that he had a sponsor for the legislation to address this issue since it would require a statutory change.

A unanimous motion was already passed in June by the Council to change this requirement. This item will be placed on the agenda for the November Council meeting.

NEXT MEETING

The next meeting of the Advisory Council will be on November 25, 2008. The agenda is as follows:

AGENDA FOR THE 11/25/08 ADVISORY COUNCIL MEETING

1. Approval of Minutes (Chairman).
2. U.S. Fish & Wildlife Service - (Michael Stroeh).
3. Back Tag (Director Pat Emory)
4. Ommelanden (Michael Friel).
5. Waterfowl Counts (Matt DiBona).

There being no further business, a motion was made, seconded and carried that the meeting be adjourned at 8:44 PM.

Sincerely,

A handwritten signature in blue ink that reads "Karen Kennedy". The signature is written in a cursive style and is placed on a light blue rectangular background.

Karen Kennedy
Recording Secretary