



**ADVISORY COUNCIL ON RECREATIONAL FISHING FUNDING
MINUTES OF APRIL 21, 2009**



Location: Division of Soil & Water Building, Pilottown Road, Lewes, Delaware
(Adjacent to new Lewes Boat Ramp Construction Site)
Div. of Fish & Wildlife Phone: 302-739-9914, Fax: 302-739-6157

ADVISORY COUNCIL

Eric Burnley, Sr. (Chairman)
Bill Baker
Bernie Pankowski
Jack Carpenter (Absent)
Floyd Morton III
Ralph Newberry
David Russell (Absent)
Sen. Robert L. Venables
Rep. Gerald W. Hocker (Absent)

DIVISION OF FISH & WILDLIFE

Roy Miller
Lynn Herman
Patrick Emory
Lacy Nichols, Jr.

PUBLIC

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Agenda Item 1. Welcome

Chairman Burnley opened the meeting at 7:03 PM and welcomed everyone.

Agenda Item 2. Approval of Minutes from 9/25/08

The minutes of the three meetings held in 2008 were distributed and time was provided for reading. A motion was made and seconded to approve the minutes from Sept. 25, July 14, and April 22, 2008 and the motion passed unanimously.

Agenda Item 3. Update on Fishing License Revenue in 2008

Mr. Herman presented a written summary of fishing license revenue for 2008. License revenue that was new for 2008 totaled over \$1.2 million for a combined licensing total of \$1.435 million, including what would have been around \$200,000 for freshwater fishing licenses in a prior year. Mr. Herman's table included a breakdown of receipts from various types of fishing licenses. It was noted that more resident fishing licenses were sold than any other type of license, but non-resident season licenses, although only 22.6% of the total by number of licenses, accounted for the largest portion of total license revenue (\$382,240). He then discussed that earlier projections of around \$1.9 million for fishing access is still the figure we are using for 10-1-08 to 9-30-09, and that \$2,017,653 additional should be forthcoming between 10-1-09 and 9-30-10. Mr. Herman highlighted a table which shows that Delaware spends about 20% of its federal aid apportionment on boating access which is in line with the 15% federal aid requirement. **Mr. Miller** talked about present state hiring constraints and spending oversight. Any project expenses over \$2,500 require state budget office approval, even if funds are in-hand. This new procedure has resulted in some delays in spending approval. The hiring freeze has impacted the Division of Fish and Wildlife and when vacancies are created through

retirement or other means, these positions will go unfilled because of the statewide hiring freeze on full time positions. This will result in manpower shortages, even where license or other funds appear adequate. Mr. Miller re-iterated that it was fortuitous for the Division to gain approval for the marine fishing license just prior to the on-set of the recession, or the Division would be in pretty poor financial shape. Most of the required general fund cuts in Division funding will be borne by Mosquito Control and Enforcement. Nearly all of the Council members (especially Bill Baker, Bernie Pankowski, Floyd Morton and Eric Burnley) expressed concern about any possibility of the General Assembly raiding the Division's dedicated license revenue. **Senator Venables and Mr. Pat Emory** assured everyone that it is very unlikely as it would require a law revision on the part of the General Assembly and any changes to the enabling legislation would also jeopardize the Division's Federal Aid in Fisheries Restoration funding as well.

Agenda Item 4. Status of Recently-completed and On-going Projects

Mr. Nichols talked about the completion, or nearly so, of the new Lewes boat launch ramp and parking lot. **Mr. Miller** said that the Division is giving consideration to a public dedication of the facility in May, perhaps on May 21, although this needs to be confirmed (the Governor's Office selected May 22 after this meeting). This dedication would be held despite the fact that the boat ramp has been open to the public since early December. The Division hasn't completed paying its contractor pending some sign of germination and survival of wetland plants between the stone sill and the walkway along the River, and also germination of ground cover in the stormwater retention basins. Faulkner's pier at Bowers Beach was restored in 2008. Mr. Miller distributed pictures of storm damage at Bowers docks and bulkheads resulting from the Mother's

Day storm in 2008, as well as a picture of the repairs underway. **Mr. Nichols** said that Mulberry Landing on the Assawoman Wildlife Area was completed. Construction of the new boat ramp on Broad Creek in Laurel will soon be let out for bid solicitation, pending receipt of final engineering design plans. **Mr. Miller** said that he checked with the Parks and Recreation project manager on the status of the pier repairs at Cape Henlopen State Park. The bids came in under budget, so probably twice as many pilings can be repaired as originally planned. The work started last month and the original bid work should be completed by Memorial Day. Parks will use all of the \$500,000 in Division of Fish and Wildlife's federal aid contribution and \$220,000 in match provided by Sussex County Legislators to repair as much of the pier as possible, but probably not out as far as the T-portion of the pier. Parks does not know an expected completion date for the extension beyond the original bid footprint for pier repairs. The existing pilings will be left in place for the most part, but will be jacketed and filled with rebar and epoxy to extend their life expectancy. Everyone expressed satisfaction that the repairs are underway and that more pilings than originally thought can be repaired using the federal aid from the Div. of Fish and Wildlife matched with the general fund appropriation from the General Assembly. **Mr. Nichols** then discussed the siltation situation at the Augustine boat ramp and how the problem is causing acute launching and retrieval problems for boaters and even homeland security concerns (this is the closest public ramp to Salem Nuclear Station), and for the local fire departments and their search and rescue vessels. **Mr. Ken Logan** from the audience provided additional insights on the severity of the problems facing the fire departments that need quick access to a boat launching facility near Port Penn. **Mr. Nichols** detailed the process the Division has used to engineer a more permanent fix to the siltation problems. While funds are being sought from an oil spill settlement as a result of the Athos I spill several years ago and the possibility of federal economic stimulus grants for this purpose, the Division has also applied for yet another temporary permit to dredge in front of the boat ramp and use overboard disposal. Our sister Division of Water Resources has assured the DF&W that this will be the last such temporary permit for overboard disposal issued at this site and that DF&W must seek a more permanent solution to the annual siltation problem. The DF&W contracted with the respected marine engineering firm of Andrews Miller for options to alleviate the siltation problem in front of the boat ramp. Andrews Miller's report says that after running extensive computer modeling exercises, the installation of a new rock breakwater on the north side of the ramp appears to be the most practical alternative. The original breakwater on the south side of the ramp was installed in the middle 1980s to make it easier to launch boats while being sheltered from winds from the southwest, but that exacerbated the existing siltation problem at the ramp. A second

breakwater installed on the north side should cause scouring at the mouth of the boat ramp, thus keeping the channel nearest the ramp open. Other solutions were considered including dredging and storing the dredge spoil in a geotech bag installed next to the ramp, but this is considered more of a short-term solution to a long-term problem. Geotech bags are not without their own sources of problems and limitations.

Agenda Item 5. Other Projects to be Pursued in 2009

Mr. Miller passed out pictures of the vandalized dock at Port Mahon next to the boat ramp. About 1/3 of the aluminum dock was stolen, so the dock had to be fenced and locked. The Division would like to rehab the dock and make it into a public fishing and crabbing platform now that the Division's research vessel is no longer docked there (it was moved to a more secure docking location in Leipsic). Vandalism remains a problem at Port Mahon because it is in a remote area and the entrance road is always in danger of disappearing with the next coastal storm. The Division will have to give consideration to how much money it wants to spend at Port Mahon considering the above limitations to the area. The Advisory Council elected to not attempt any re-prioritization of access area maintenance and construction beyond what was approved at the Sept. 2008 meeting.

Agenda Item 6. Recurring Maintenance Needs

Mr. Miller and Mr. Nichols listed the launch ramps that normally are cleaned of mud at least annually in order to keep them open. Problem areas in this regard include Cedar Creek, Bowers Beach, Collins Beach, Fort Delaware, and Rosedale Beach, among others. Generally all problem areas are cleaned in March or early April, but may need revisiting during the course of the boating season. **Mr. Pankowski** said that Bowers Beach needs to be cleaned off again. **Mr. Nichols** talked about the siltation problems at Rosedale Beach and how there are no suitable near-by spoil disposal areas. He then listed the many facilities that would benefit from re-paving and/or re-striping this year using available federal aid funds.

Agenda Item 7. Suggestions for Additional New Projects in 2009

The Council declined to suggest new areas for construction in 2009, saying there was plenty to take care of using existing plans and priorities. **Mr. Logan** from the audience then asked if the fire department could use the closed 7th Street boat ramp with the understanding that the fire department would assume any risk from using the damaged ramp. He was directed to seek City of Wilmington approval because they still own the ramp and the site.

Agenda Item 8. Next Meeting in 2009?

Chairman Burnley suggested that the Council meet next in September to review progress from earlier in the year

and provide any new direction to the Division. A motion was made, seconded and approved to end the meeting at 9:05 PM.

Respectfully submitted,



Roy W. Miller
Fisheries Administrator



**ADVISORY COUNCIL ON RECREATIONAL FISHING FUNDING
MINUTES OF OCTOBER 8, 2009**



Location: Division of Soil & Water Building, Pilottown Road, Lewes, Delaware
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DIVISION OF FISH & WILDLIFE

Patrick Emory
Lacy Nichols, Jr.
Craig Shirey

PUBLIC

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Agenda Item 1. Welcome

Chairman Burnley opened the meeting at 6:30 PM and welcomed everyone.

Agenda Item 2. Approval of Minutes from 4/21/09

A motion was made, seconded and carried to approve the minutes from April 21.

Agenda Item 3. Status of Recently Completed and On-going Projects

Mr. Nichols stated that recently completed projects include the Lewes boating access area (which still has a few issues that are in the process of being resolved), the Little Creek fisheries storage building is complete and already partially stocked, the Cape Henlopen fishing pier is done, and the Augustine Beach boating access basin dredging is now complete. He then summarized the current status of active projects, which include: phase I of the Augustine Beach stone jetty, the bulkhead at Bowers Beach Coast Guard Auxiliary, the Riverview Park boating access area, repairs to the Cedar Creek boat access area, expansion of the Phillips Landing boating access area, fishing access improvements at Garrisons Lake, repairs to the Scotton Landing fishing pier, and improvements to various facility parking areas statewide.

Agenda Item 4. Recurring Maintenance Needs

Mr. Emory went over the revenues received from license sales in 2008 and added that these totals are on target with estimates made prior to the implementation of the general fishing license. Discussion followed regarding how these funds may be spent, the fact that some projects are eligible for federal matching funds and the restrictions encountered with obtaining those federal funds, and that some projects require lengthy time periods-sometimes a year or more-before completion is possible. After discussion strayed from Division funding to fishing issues, **Mr. Burnley** gave reassurance that the commercial fishery is highly regulated, as is the

recreational fishery and that the DFW must comply with federal laws and regulations for managed fish species. A point was also made that with all the recent statewide budgetary cuts, which have lead to a hiring freeze, retirements, and salary cuts, enforcement of fisheries regulations has become even more challenging. **Mr. Burnley** commented that any questions or comments regarding commercial or recreational fishing should be addressed in front of the Tidal Finfish Advisory Council or the Game and Freshwater Fish Advisory Council. **Mr. Emory and Mr. Nichols** answered specific questions regarding various existing boating access areas, such as the possibility for floating dock placement and redesign of a boat ramp.

Agenda Item 5. Next Meeting?

Mr. Burnley suggested adding a more detailed explanation of the Division's budgetary standing to the next meeting's agenda. No discussion took place to schedule the next meeting. The meeting adjourned at 8:15 PM.

Respectfully submitted,



Kim Records
Recording Secretary