

In The Matter Of:
DNREC
7 DE Admin Code 3300

Hearing
January 29, 2020

Wilcox & Fetzer, Ltd.
1330 King Street
Wilmington, DE 19801
email: depos@wilfet.com, web: www.wilfet.com
phone: 302-655-0477, fax: 302-655-0497



Min-U-Script® with Word Index

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
OF THE STATE OF DELAWARE

RE: 7 DE Admin Code 3300 Non-Tidal)
Finfish, 3301 Definitions,)
Proposed Regulatory Amendments,)
Public Hearing)

..

DNREC Richardson & Robbins Building
89 Kings Highway
Dover, Delaware 19901

Wednesday, January 29, 2020
6:02 p.m.

..

BEFORE: Theresa Newman, Hearing Officer

ALSO PRESENT: Michael Stangl, DNREC

-- Transcript of Proceedings --

WILCOX & FETZER
1330 King Street
Wilmington, DE 19801
(302) 655-0477
www.wilfet.com



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

TABLE OF CONTENTS

	Page
Introduction by Ms. Newman.	3
Introduction of Exhibits by the Division	4
Conclusory Remarks by Ms. Newman.	4
Certificate of Reporter	6

1 MS. NEWMAN: Good evening. It is
2 now 6:02 on Wednesday January 29, 2020.

3 We have allowed a little bit of
4 additional time for public members to attend.
5 However, there is no public attendance at
6 this time.

7 If any members of the public are to
8 sign in from now through the end of the
9 Department's presentation, we will address
10 those members of the public prior to the
11 conclusion of the hearing.

12 We are here this evening to provide
13 a formal platform for the State of Delaware's
14 Department of Natural Resources and
15 Environmental Control to receive public
16 comment on the Proposed Regulatory Amendments
17 to 7 DE Admin Code 3300, Revisions to the
18 Non-Tidal Finfish Regulation.

19 My name is Theresa Newman, and
20 Secretary Garvin has appointed me to serve as
21 the hearing officer for tonight's formal
22 proceeding.

23 We will begin tonight with the
24 Department's presentation, followed by public



1 comment, if there are any members whom sign
2 in after we begin.

3 With that being said, I will now
4 hand it over to Mike Stangl with the Division
5 of Fish and Wildlife.

6 MR. STANGL: Thank you. Let's see.
7 I have a list of exhibits for Lorena, the
8 court recorder.

9 And I have 12 exhibits I would like
10 to enter into court relative to the proposed
11 changes to 7 Delaware Administrative Code
12 3300, Non-Tidal Finfish, specifically Code
13 3301, Definitions.

14 I do have a brief presentation
15 prepared with an associated handout that I
16 can review if needed. Otherwise, in the
17 interest of everyone's time and given the
18 relative simplicity of the proposed changes,
19 the exhibits likely provide a sufficient
20 basis for the change.

21 MS. NEWMAN: Great. Thank you.

22 As there are no members of the
23 public here, I don't think it is necessary to
24 provide a presentation from the Department,



1 so I will accept the exhibits handed to me
2 with the cover sheet marked as Exhibit 1
3 through 12 given by the Department, hereby
4 entered as Department Exhibits 1 through 12.

5 All right. As the Department has
6 met the hearing protocols and there is no
7 public comment and no public attendance, the
8 record will remain open through Thursday,
9 February 13, 2020, at which time the record
10 will then close.

11 It is now 6:05, and this hearing is
12 now adjourned.

13 (Concluded at 6:05 p.m.)
14
15
16
17
18
19
20
21
22
23
24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE

I, Lorena J. Hartnett, a Notary Public and Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription of the proceeding held at the time and place stated herein, and that the said proceeding was recorded by me and then reduced to typewriting under my direction, and constitutes a true record of the testimony given by said witnesses.

I further certify that I am not a relative, employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in no way interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 30th day of January 2020.



Lorena J. Hartnett
Registered Professional Reporter

A	brief (1) 4:14	Division (1) 4:4	4:17 5:3 Good (1)
accept (1) 5:1	C	E	3:1 Great (1)
additional (1) 3:4	change (1) 4:20	end (1) 3:8	4:21 H
address (1) 3:9	changes (2) 4:11,18	enter (1) 4:10	hand (1) 4:4
adjourned (1) 5:12	close (1) 5:10	entered (1) 5:4	handed (1) 5:1
Admin (1) 3:17	Code (3) 3:17 4:11,12	Environmental (1) 3:15	handout (1) 4:15
Administrative (1) 4:11	comment (3) 3:16 4:1 5:7	evening (2) 3:1,12	hearing (4) 3:11,21 5:6,11
after (1) 4:2	Concluded (1) 5:13	everyone's (1) 4:17	hereby (1) 5:3
allowed (1) 3:3	conclusion (1) 3:11	Exhibit (1) 5:2	However (1) 3:5
Amendments (1) 3:16	Control (1) 3:15	exhibits (5) 4:7,9,19 5:1,4	I
appointed (1) 3:20	court (2) 4:8,10	F	interest (1) 4:17
associated (1) 4:15	cover (1) 5:2	February (1) 5:9	J
attend (1) 3:4	D	Finfish (2) 3:18 4:12	January (1) 3:2
attendance (2) 3:5 5:7	DE (1) 3:17	Fish (1) 4:5	L
B	Definitions (1) 4:13	followed (1) 3:24	likely (1) 4:19
basis (1) 4:20	Delaware (1) 4:11	formal (2) 3:13,21	list (1) 4:7
begin (2) 3:23 4:2	Delaware's (1) 3:13	G	little (1) 3:3
being (1) 4:3	Department (5) 3:14 4:24 5:3,4,5	Garvin (1) 3:20	Lorena (1)
bit (1) 3:3	Department's (2) 3:9,24	given (2)	

4:7	P	5:8	4:23
M		Resources (1)	Thursday (1)
marked (1)	platform (1)	3:14	5:8
5:2	3:13	review (1)	tonight (1)
members (5)	pm (1)	4:16	3:23
3:4,7,10 4:1,22	5:13	Revisions (1)	tonight's (1)
met (1)	prepared (1)	3:17	3:21
5:6	4:15	right (1)	W
Mike (1)	presentation (4)	5:5	S
4:4	3:9,24 4:14,24		Wednesday (1)
N	prior (1)		3:2
	3:10	said (1)	Wildlife (1)
name (1)	proceeding (1)	4:3	4:5
3:19	3:22	Secretary (1)	1
Natural (1)	Proposed (3)	3:20	
3:14	3:16 4:10,18	serve (1)	1 (2)
necessary (1)	protocols (1)	3:20	5:2,4
4:23	5:6	sheet (1)	12 (3)
needed (1)	provide (3)	5:2	4:9 5:3,4
4:16	3:12 4:19,24	sign (2)	13 (1)
NEWMAN (3)	public (9)	3:8 4:1	5:9
3:1,19 4:21	3:4,5,7,10,15,24	simplicity (1)	2
Non-Tidal (2)	4:23 5:7,7	4:18	
3:18 4:12	R	specifically (1)	2020 (2)
O	receive (1)	4:12	3:2 5:9
officer (1)	3:15	Stangl (2)	29 (1)
3:21	record (2)	4:4,6	3:2
open (1)	5:8,9	State (1)	3
5:8	recorder (1)	3:13	
Otherwise (1)	4:8	sufficient (1)	3300 (2)
4:16	Regulation (1)		3:17 4:12
over (1)	3:18	T	3301 (1)
4:4	Regulatory (1)	there (4)	4:13
	3:16	3:5 4:1,22 5:6	6
	relative (2)	Theresa (1)	
	4:10,18	3:19	
	remain (1)	think (1)	

6:02 (1)

3:2

6:05 (2)

5:11,13

7

7 (2)

3:17 4:11