

Feedback Regarding Proposed Wildlife Regulations Revisions

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To: HearingComments, DNREC (MailBox Resources) <DNRECHearingComments@delaware.gov>

To: Lisa Vest, Hearing Officer; DNRECHearingComments@delaware.gov

From: Steven M. Kendus

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Subject: Feedback Regarding Proposed Wildlife Regulations Revisions

Thank you for providing the opportunity to comment on the proposed changes to regulations that pertain to the management and conservation of wildlife including activities involving hunting, trapping, fishing, nuisance wildlife control work and activities authorized on Division-owned lands. My comments are presented below.

1.0 Definitions

Deer – Rather than including white-tailed deer and sika deer in the same definition of deer, I suggest defining them separately so that separate harvest regulations can be enacted for each species. Separating the definitions will enable the Division to more easily set separate seasons, limits, tags, etc. if a need arises.

Possession – I suspect most readers will have to research the definition of “constructive possession,” so can you actually define the term in this section or use more familiar language?

2.0 Method of Take

2.5 – If this proposed change prohibits the use of pellet guns for squirrel hunting, I strongly suggest modifying the proposed change since many young hunters begin hunting by using pellet guns for squirrels.

2.12.2 – It seems there are errors in the text here. Should the first sentence say, “Notwithstanding subsection 2.1.12.1, a muzzleloading rifle or pistol shall be considered **UNLOADED** if there is not powder and ball, bullet or shot loaded in the bore.”

3.6 and 7.5.1.3 (under 7.0 Deer) – Each of these sections include language regarding “sufficient size, physical strength and emotional maturity” for youth and safe gun handling. How are these traits determined? Who assesses these criteria? If you keep this language, shouldn't it also apply to people other than youth?

4.0 Seasons

4.7.1 – Gray Squirrels – Like neighboring states—and to coincide with Delaware's rabbit season—extend the squirrel hunting season through the last day of February.

4.9.1 – Pheasant – To coincide with Delaware's rabbit season, extend the pheasant hunting season through the last day of February.

4.10 – Quail – If the state closes the wild quail seasons, the state must develop, maintain, and publicly share a quail management plan that details all factors that will contribute to building quail populations. The plan must also include milestones, criteria, and guidelines that will dictate when/if the wild quail season reopens. As a result of the plan, the Division should reassess the season closure annually.

4.10.2 - To coincide with Delaware's rabbit season, extend the released quail hunting season through the last day of February.

4.20 – Add Hungarian partridge to the list along with chukars.

5.0 Wild Turkeys

5.3.1 – Allow the use of 28 gauge and .410 bore shotguns for turkey hunting if those firearms use shells suitable for effectively killing turkeys.

7.0 Deer

7.2.4 – When dressing deer, does the hunter have to leave (external) proof of sex? If so, state that here.

7.3.3 – Should this regulation make reference to “the primitive firearm season?”

7.6.1 – How are hunters notified of banned jurisdictions?

9.0 Wildlife Theft Prevent Fund

9.1.2.1 – Why only mention waterfowl and turkeys? Are doves, crows, etc. treated the same way?

20.0 Game Bird Releases

20.1 – How much is the permit for more than 25 birds?

20.2 and 20.3 – Placing auxiliary markers on gamebirds, reporting the releases, dates, and locations, and obtaining approval prior to releasing the birds creates unnecessary burdens for hunters and creates privacy concerns. What is the purpose of the markers and reporting? With wild populations of gamebirds (especially pheasants, chukars, and Hungarian partridges) nearly non-existent in Delaware, this regulation is unnecessary. What's more, placing the markers on released ducks is also unnecessary as released ducks are typically marked in other ways.

23.0 Non-native/Invasive Wildlife

23.1.1.2 – Add to this section that coyotes may be killed with straight-wall pistol-caliber rifles and handguns by deer hunters while deer hunting.

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