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1	Department of Natural Resources
2	and Environmental Control
3	Public Hearing: Proposed Revisions to
4	7 DE Admin. Code 3900 - Wildlife
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7	Docket No. 2025-R-F-0011
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10	Moderated by Lisa Vest
11	Wednesday, August 27, 2025
12	6:00 p.m.
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15	Remote Proceeding
16	89 Kings Highway
17	Dover, DE 19801
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22	Reported by: Samuel Haut
23	JOB NO: 7538792
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1	APPEARANCES
2	List of Attendees:
3	Lisa Vest, Public Hearing Officer
4	Joe Rogerson, Wildlife Section Administrator
5	Robert Hossler, Wildlife Administrator
6	Sam Robinson, Wildlife Biologist
7	Jay Birmingham, Public Speaker
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1		EXHIBITS	
		Retained by clients	
2	NO.	DESCRIPTION	PAGE
3	DNREC:		
4	Exhibit 1	Copy of Start Action Notice	
5		#2025-26	17
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7		Analysis/Regulatory Impact	
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PROCEEDINGS

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MS. VEST: It is 6 p.m. I think that everybody's connection is secured, so we are going to go ahead and start tonight's proceedings. I want to thank everybody for taking the time out of their busy schedules to join us tonight.

The date is Wednesday, August 27, 2025, and we are here this evening to provide the formal platform for DNREC to conduct its virtual public hearing and gather comment regarding the Department's proposed wildlife regulation amendments. For those of you who may be tuned in that do not recognize me, my name is Lisa Vest, and Cabinet Secretary Patterson has appointed me to serve as the hearing officer for tonight's proceedings.

Before we begin tonight, I just want to do a couple little things here. First, I'd like to make sure that everyone is aware that the Zoom platform that we are using tonight has the ability for closed captioning in multiple languages.

If you're interested in that, to start your closed captioning, if you're on a computer or a laptop, at the bottom of your screen, you should see a "Show Captions" button. If you don't see that, you

may have to look for the little ellipse that has three dots that say "More." It depends if you're on a Mac or a Windows-based computer.

But once you find the "Show Captions" button, you should click that caret pointing up.

It'll bring up various translation options. You can select your preferred language from there. If your preferred language is not listed, you can select "More," and all of the languages come up.

We use Zoom in particular because there's over 20 languages available, so we just like to make sure that if that's a comfort spot for you, by all means, you can feel free to utilize that. Same thing if you're calling in from a smartphone. At the bottom of your screen, there should be a button that you can select captions or it may just say "CC" in caps.

If your preferred language isn't listed at the bottom, again, you may have to look for the little three dots that say "More." You should then select the meeting settings, and then once you select your settings, go to "Translation Language," and that should bring up all of the languages that you need and it -- hopefully you can get to where you need to be

from there. So I just wanted to bring that up for anybody that that may be of interest or assistance for.

2.0

At the conclusion of my introductory remarks, I will be turning the floor over to Joe Rogerson. He is with the Department's Division of Fish and Wildlife. Joe's going to have a brief presentation concerning the Department's proposed amendments.

We do this for both the benefit of the hearing record being generated in this matter and also to provide some better understanding for members of the public that may join us tonight. Once we get done with tonight's proceedings, everything that you see tonight will be posted on the hearing page that's dedicated to this matter.

If you go onto DNREC's website, look for the "Administrative Law" tab, and under that is "Public Hearings," and it'll be right close to the top because all of our hearings are listed in chronological order. And I would encourage members of the public to check that out. There's a lot of information available on that hearing page, and, again, just check it out if you'd like to.

We have a court reporter here with us this evening that will prepare a verbatim transcript of the hearing. DNREC has a statutory obligation to do that. And once we get that transcript, it too will go on the hearing page dedicated to this matter. So you'll be able to see the presentation, review it at your leisure, blow it up a little bit.

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Because I know sometimes, depending on what computer you're on, it may -- the print may be a little small. So you can go back and read it, enlarge it if you'd like to, look at the exhibits, read the transcript, and you can get a lot of information from reviewing that hearing page.

As I mentioned, the purpose of the hearing tonight is to gather comment for those members of the public that wish to do so as well as provide additional information. As always, the public concerns regarding DNREC's actions are very important to the Department.

Those concerns are incorporated into each hearing record by the public submitting their comments directly to DNREC, either in writing or live at hearings, such as the one we're doing tonight.

24 While all the public comments are greatly appreciated, each comment must be limited solely to the subject matter of each hearing, which in this particular instance, once again, are the proposed regulatory amendments to wildlife.

2.0

I should also note that all comment that is submitted to DNREC, whether it comes in verbally or whether it is in writing, received either before or after tonight's hearing, it all bears the same weight, and it'll all be considered equally by Secretary Patterson prior to his making a decision in this matter.

We do have two members of the public that have pre-registered to speak live tonight.

DNREC's process is that we have a pre-registration page also connected to the hearing page, and members of the public have the opportunity to pre-register to be recognized at the hearing. As I mentioned, we have two tonight. Following Mr. Rogerson's presentation, we will turn the floor over to them.

Each speaker will have a total of three minutes each to offer their comment. If, for any reason, all the comment is not able to be given in three minutes, by all means, everyone is encouraged to supplement their comments in writing. And for that

particular purpose, the record is not going to close at the conclusion of tonight's hearing.

Rather, it's going to remain open, and as long as comment is received up through September 12th, it'll be considered equal just as if it was here tonight, and it will be posted on the hearing page and incorporated into the record. Once again, the presentation that you'll be listening to tonight along with all of the other documentation is on the hearing page, and I would, again, encourage you to check that out.

Briefly, the following protocols apply to all DNREC hearings. I'm just going to list them briefly. Number one, all comment received must be limited solely to the subject matter of tonight's hearing, which, again, are the proposed regulatory amendments to wildlife. All comments pertinent to that subject matter will be incorporated into the record and posted on the hearing page as I've previously mentioned.

Number two, in order to ensure that everyone who wishes to offer comment is accommodated, the record will remain open following tonight's proceedings through September 12, 2025.

Number three, there is only one authentic record of this matter, and it will be the official court reporter's transcript, which, again, we'll get that posted online as soon as it gets received.

Number four, the statutory purpose of tonight's hearing is to build the record, the record consisting of the transcript of this hearing, all written comments, all exhibits, and eventually, a report summarizing the entire action will all be gathered and reviewed by Secretary Patterson prior to any decision being made in this matter.

And, lastly, it's important to note that no decision has been made with regard to this proposed action at this time, nor will any decision be made tonight. Again, we are here to fully vet this matter to the public to make sure that a platform is provided should people wish to offer comment and make sure they know how to offer comment if they wish to do so between now and September 12th.

That being said, I am going to turn the matter over to Department personnel for their brief presentation.

So, Joe, when you're ready, you may

1 begin.

2.0

2 | MR. ROGERSON: Thank you, Lisa. Can

3 you hear me?

4 MS. VEST: I can hear you fine.

MR. ROGERSON: Good.

Thank you, everyone. My name is Joe Rogerson. I'm the Wildlife Section Administrator with the Delaware Division of Fish and Wildlife. Before I get started, I want to thank you, Lisa; Michelle Jacobs; Mike Mahaffie; and especially Rob Hossler for helping us get to this point during the regulatory process, so thank you.

With that, so how did we get to this point? The proposed regulatory changes were made available to the State Register of Regulations on August 1st, including information about providing public comments, which Lisa just did a great job of explaining which also opened at that point in time.

As part of that process to amend regulations, the Department is conducting tonight's public hearing on our proposed revisions. And as Lisa stated, after tonight, the public comment period for written comments will remain open until the close of business on September 12th, so 15 days.

So within the Delaware Administrative Code related to the wildlife regulations, there are 24 sections within our regulations. Tonight we're proposing to make changes to eight of those sections.

One thing that I would like to clarify, because we received a lot of comment and feedback ahead of this hearing, we are not proposing, as part of this package, to make any changes related to the minimum age in which hunters can hunt alone or to hunting license fees. This was in response to House Bill 451.

A lot of the feedback that we received, which was passed by the General Assembly in 2022, and had a three-year grace period for which these are now going into effect, these aren't any changes that the Department can initiate. It's something that only the General Assembly, and with concurrence, the governor would be able to do, so I just wanted to state that that's going on because we have received a lot of feedback prior to this hearing for that.

So what I'd like to do now is talk about the changes that we are considering as part of this process. What I don't want to get into this evening -- and I -- we would spend a lot of time --

was the administrative code drafting and style manual was recently updated, and as such, there are a lot of formatting, grammar, style changes that are being made to our regulations.

None of these provided any substantive changes to the intent of any of those regs, so I'm not going to go through. We're putting a comma here, we're changing the number 2 to the -- like all of that stuff. So just note, if you look at the regs, you're going to see a lot of those kind of things.

The first change that we're proposing is within Section 2. Like I said, we have 24 sections within our administrative code. This was in response -- so a need to clarify the seasons for which muzzle loaders may be used to harvest deer. We needed to be a little more clarifying with those. There was some ambiguity.

The second change is in 3.0, which is our federal laws and regulations adopted. We are proposing to allow hunters under the age of 16 to participate during the special youth hunts for waterfowl and migratory game birds. Currently, participation in these hunts is allowed two hunters between the ages of 10 and 15, so our proposed change

would be to make it 16 and under.

Another change is within 4.0, which is our season sections. Several years ago, the General Assembly amended laws that were related to restrictions of Sunday hunting for game birds. We had some game bird seasons. You'll see another one here shortly, I think -- actually related to turkeys.

But the seasons were prescriptive in our regulations about when they would occur. And for the case of crows, the regulations were that the season was open on Thursdays -- or Fridays, Saturdays, and Mondays. What we'd like to do now is have it be Friday, Saturdays, and Sundays to capture that Sunday that's there, so they're allowed to be open for three consecutive days.

Also, within 4.0 is a requirement to report the harvest of a gray fox. We are proposing to remove that mandatory reporting where individuals would have to call in and speak to the Department if they harvested one. We would now collect our harvest information via other means.

And as I alluded to about a change related to Sunday hunting, with the change of that, at the General Assembly level, we want to clarify that

the turkey season will now end on -- on Sunday, sorry, instead of Saturday, is when it was defined in the -- our administrative code.

2.0

We also need to remove or are proposing to remove erroneous text now that turkey harvest reporting is completed electronically. There's some existing text in our regulations that refer back to when there was check stations and hunters had to visit those, so this is more of a cleanup and clarifying set of changes here.

Similar to our special hunts for youth hunters for waterfowl, we are proposing to amend the age for participation in those for all hunters under the age of 16 rather than have it be limited to those between the ages of 10 and 15 years of age.

Similar to what I just said, we would like to do the same thing for our special deer hunts for youth hunters. We would like to allow hunters under the age of 16 to be able to participate in those rather than to limiting it between 10 and 15.

Section 8 is our part of the code or regs where we talk about what's allowed and not allowed on our lands, on our wildlife areas, and waters that we manage. We are proposing to allow

motorized electric carts, wagons, or wheelbarrows to transport hunting and fishing equipment or game or fish on lands administered by the division provided they are not ridden or used to transport any person.

2.0

Anyone using such equipment must walk behind while using them or they could walk in front if they're going to pull it, but they can't be physically riding it. This is a request to help move and transport harvested game, but also equipment around.

20.0 is our game bird releases section. When we modified regulations back in 2024, we made a typographic mistake. There are two types of permits that people may need depending on the number of game birds they're releasing.

Both of the permits -- 25 birds is the tipping point between it, but both permits, you -- if you were 25, you could go to one permit or the other. We're clarifying which permit people would need for that, so this is fixing the typo from before.

23.0 is our regulations related to non-native and invasive wildlife. We are proposing to extend the hunting season for coyotes, and similar to gray fox, remove the requirement to report the harvest of such animals. Again, we would use some alternative

techniques to estimate and monitor our coyote harvest similar to other species that we have.

And, Lisa, for the sake of the public record, these are the exhibits that we've put forth on our public hearing page as of 5 p.m. this evening before the hearing started, and there have not been any changes since then, for the record. So if anyone were to go to the hearing website, this is what they would see there now.

(DNREC Exhibit 1 through Exhibit 7 were marked for identification.)

And as stated before, the written comment period will remain open until the 12th of September. And that concludes my portion of the presentation. And if anyone would like to provide public comment that's registered, I turn the floor over to you.

MS. VEST: Okay. Thank you so much,

Joe. Just following up on what you just said, I

believe your slide showed seven exhibits, and you said

that they have not been changed or altered since their

posting and they are the same that are up on that

hearing page, so thank you for that confirmation.

We're going to go ahead and let the record -- virtual

MS. VEST: Okay. Excellent. That being said, I was looking at the list of attendees. As I mentioned in the introductory remarks, we only have two members of the public that have signed up to offer comment this evening, and unless one of them is just joining now, I'm not sure that they're with us tonight, but I will go ahead and ask. Ryan Maloney had pre-registered.

2.0

Mr. Maloney, are you here? I do not see your name listed as an attendee. If you are here, will you raise your hand? There's a -- I know we're virtual, but there's -- on the bottom bar, there's a little hand icon, and if you hit that, I'll know that you're here.

Again, I do not see Mr. Maloney, but I wanted -- oh. There is a raised hand. Okay.

MR. BIRMINGHAM: U-P-A-R-M in --

MS. VEST: -- okay.

MR. BIRMINGHAM: There you go. Jay
Birmingham, Middletown, Delaware. Just asking while I
have some of your attention if we could consider
straight wall pistol ammo for coyote as you consider
changing some of the other coyote regulations. But if
you consider giving us straight wall pistol ammo for

Page 20

- using for the coyote, I'd like to have that under consideration. Thank you.
- MS. VEST: Thank you, sir. I am once again looking at UPARM [ph] with a raised hand. Can you unmute yourself?
- 6 MR. BIRMINGHAM: Yeah. That was me.
- 7 MS. VEST: Oh. That was you. Okay.
 - MR. BIRMINGHAM: Yes. Yes, ma'am.
- 9 Thank you.

8

- MS. VEST: Sorry. Sorry about that. I got you. I got you.
- Okay. We have another user that just
- joined. Let's see if that person is the person I'm
- 14 looking for. We have two gentlemen that
- pre-registered: one was Ryan Maloney, one was Jeremy
- 16 Tucker.
- 17 Mr. Maloney, are you here tonight? If
- 18 | so, could you raise your hand? There's a little icon
- 19 | at the bottom. I just want to make sure that if you
- 20 are here, perhaps you're either not using your own
- 21 | computer and it might have registered you as somebody
- 22 else.
- 23 | If Mr. Maloney is not here, is
- 24 Mr. Tucker here?

Okay. I do not see either of those gentlemen, which is fine. It's one of the benefits of DNREC not closing the record at the conclusion of our hearings, so I'm going to go ahead. I've got one eye on the screen and another eye on my paperwork.

2.0

Since it appears that neither one of the gentlemen that pre-registered are attending, I'm going to go ahead and begin my closing remarks.

Again, as we've mentioned previously, the record is remaining open through September 12th, which is an additional 15 days.

Delaware code permits us the ability to do that and, in fact, insists that we do that, so whether the comment comes in live this evening or whether it comes in on the afternoon of September 12th, on the last day, all comments received bear the same weight and all will be considered by the Department prior to any decision being formally entered in this regulatory matter.

As we are closing, because I do not see either one of those gentlemen online, again, I want to thank everyone who took the time to join us this evening and offer the comment. As mentioned previously, everything that was said tonight is being

captured with the court reporter, and as soon as we get that transcript from Veritext, we will post that on the hearing page as well.

2.0

As I close, I want to remind people how they can offer comment. As noted previously, comments should be submitted directly to me at DNREC. You can go on the hearing page and you'll see a little button that says "Submit a Comment." That will throw it right to my inbox, and it's secure. You can assure yourself it will get straight to me.

You can send it standard email to dnrechearingcomments@delaware.gov or the old-fashioned way through the United States Postal Service. Just make it attention to me, Lisa Vest, at our address at 89 Kings Highway, Dover, Delaware 19901.

I should note for the record that comments may not be submitted utilizing any kind of basic social media platforms, so in other words, you can't tweet a comment. You can't use X, Facebook, YouTube, Threads, or any kind of standardized text messaging to somebody. It must be a formal written comment.

And, again, lastly, all comment, regardless of when or how it comes in, as long as it

pertains to the actual proposed regulation amendments that were discussed this evening, they will be considered as part of the record and given to the secretary for his consideration prior to a decision being made in this matter.

I want to thank everybody for their time and patience while I was struggling to try to find people to speak tonight. Have a fantastic evening, have a safe Labor Day weekend, and this matter is formally adjourned.

(Whereupon, the hearing concluded at 6:23 p.m.)

2.1

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CERTIFICATE

I, SAMUEL HAUT, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of Santant this action.

17

16

SAMUEL HAUT

18 19 Notary Public in and for the Commonwealth of Pennsylvania

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2.4

CERTIFICATE OF TRANSCRIBER

I, SARA CRAWFORD, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Saw Con

SARA CRAWFORD

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