

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF FISH AND WILDLIFE

Statutory Authority: 7 Delaware Code, Section 6010 (7 Del.C. §6010)

7 DE Admin. Code 3519

FINAL

Secretary's Order No.: 2024-F-0035

RE: FINAL EXEMPT ORDER: 7 DE Admin. Code 3519: Atlantic Croaker

Date of Issuance: September 05, 2024

Effective Date of the Amendment: October 11, 2024

3519 Atlantic Croaker Recreational Possession Limit

Under the authority vested in the Secretary of the Department of Natural Resources and Environmental Control ("Department" or "DNREC"), 7 Del.C. §6010 and 29 Del.C. §10113(b)(4), DNREC hereby revises Section 3519 of Title 7 of the Delaware Administrative Code to correct clerical errors presently contained therein, and to make this Regulation consistent with the formatting set forth in the current edition of the Delaware Administrative Code Drafting and Style Manual.

Findings of Fact

Based on Delaware law and the record as reflected above, I make the following findings of fact:

1. The proposed regulation is not in conflict with Delaware law; and
2. The proposed regulation is an appropriate exercise of the Department's responsibilities and authority.

Decision and Order Concerning the Regulation

NOW THEREFORE, under the above-described statutory authority, and for the reasons set forth above, I hereby ORDER that the revisions to **7 DE Admin. Code 3519: Atlantic Croaker** be adopted and promulgated.

The effective date of this Order is ten (10) days from the date of its publication in the Delaware Register of Regulations, in accordance with 29 Del.C. §10118(g).

Lisa Borin Ogden for
Shawn M. Garvin
Secretary

3519 Atlantic Croaker ~~Recreational Possession Limit~~

(Penalty Section 7 Del.C. §936(b)(2))

1.0 Recreational Possession Limit

- 1.0 Unless otherwise authorized, it is unlawful for any recreational fisherman to take and reduce to possession more than 50 Atlantic croaker per day (a day being 24 hours) from the tidal waters of this State. Any Atlantic croaker taken from the tidal waters of this State that is not immediately returned, without unnecessary injury, to the same waters from which it was taken, is deemed taken and reduced to possession for purposes of this subsection.

2.0 Recreational In Transit Possession Limit

- 2.0 Unless otherwise authorized, it is unlawful for any recreational fisherman to have in possession more than 50 Atlantic croaker at or between the place ~~said~~ the Atlantic croaker were taken and ~~said~~ the fisherman's personal abode or temporary or transient place of lodging.

28 DE Reg. 314 (10/01/24)

28 DE Reg. 316 (10/01/24) (Final)