

**Atlantic States Marine Fisheries Commission**  
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**ISFMP POLICY BOARD**

**October 6, 1995**  
**Alexandria, Virginia**

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Gordon Colvin, NYDEC  
Jack Travelstead, VMRC  
David Pierce, MA DMF

**Staff**

John H. Dunnigan  
Lisa L. Kline  
Joseph Desfosse

**Guests**

Fred Serchuk, NMFS  
John Merriner, NMFS  
Mr. Foster

Darryl Christiansen, NMFS  
Tom Fote, Gov. Appt. NJ

**Call To Order**

Chairman Colvin called the meeting to order at 8:10. Mr. Dunnigan called the roll.

Mr. Dunnigan informed the board that the discussions for this meeting will center on the current status of and problems with biological sampling in the Northeast region and the role of the states and/or the Commission in resolving those problems. Mr. Dunnigan informed the board that the issue was referred to the ISFMP Policy Board by the Statistics Committee at the July meeting in Providence, Rhode Island. Mr. Dunnigan asked Mr. Travelstead, Chair of the Statistics

Committee, to provide a brief overview of that meeting.

Mr. Travelstead informed the board that the Statistics Committee has concentrated its efforts over the past several months on drafting the Memorandum of Understanding to implement an Atlantic coast unified statistics program, with signature of the MOU at the Commission's Annual Meeting. Throughout this process, the committee has also dealt with sidebar issues dealing with more current issues -- the more day-to-day or short term issues. A few months ago, the New York representative brought to the attention of the committee a problem with biological sampling in the Northeast region, mainly the possibility of a loss of sampling by the National Marine Fisheries Service (NMFS) due to loss of personnel, layoffs, retirements, etc.

Mr. Travelstead informed the board that the Statistics Committee was very concerned over this issue. Two meetings were organized in August in an effort to discuss with NMFS how the problem might be resolved, possibly through assistance by individual states. These meetings resulted in discussions on the types of sampling required, how that sampling could be conducted to correct the current time series of data, how many people were needed, how much funding was available from NMFS to assist state hiring, and the possibilities for state hiring. At the last Statistics Committee meeting there were still unanswered questions concerning funds available through the NMFS. Mr. Coates recommended at that meeting that the issue be elevated to the Policy Board to attempt to resolve the situation. Mr. Travelstead informed the board that the Statistics Committee did not feel capable of resolving this issue, since more states are involved than represented on the Statistics Committee.

Mr. Dunnigan asked Dr. Serchuk to provide an overview of the situation from the perspective of the Northeast Fisheries Science Center. Dr. Serchuk provided an overview of how the Center views the situation. Dr. Serchuk informed the board that the NMFS has a fundamental mission to conduct biological sampling as a core activity of the Center. The Center views the program as essential for providing scientific data for understanding the productivity of the system, the impacts of fishing, and data for the provision of advice and development of management programs. Dr. Serchuk pointed out that unless these issues are addressed as a long-term process, without overcoming short-term difficulties, we will not make any progress. Dr. Serchuk assured the board that the Center is committed to continue the program of collection of biological samples.

Dr. Serchuk informed the board that the funding situation for the Center is uncertain, similar to many other scientific and resource agencies. In May of 1995 the statistics investigation was transferred from the Center to the Northeast region, in large part reflecting the increasing responsibilities placed on the statistics program that relates directly to management. The mandated programs for the collection of statistics placed a greater burden on the port agents who had traditionally conducted biological sampling.

Dr. Serchuk informed the board that the Center will continue conducting biological sampling, however, there will need to be reprioritization within the Center. Therefore, overall efficiency will suffer. Dr. Serchuk pointed out that there is a shared vision among most of the states and

the Commission to cooperate in data collection activities. It is therefore important that all parties understand what is being collected and why it is being collected. The Center presently collects samples on over 30 different species. In almost all cases, species for which samples are being collected are species which are currently covered by management programs, either federal or interjurisdictional. The intensity of sampling depends on several factors, including the need to obtain sufficient samples to adequately characterize the composition and age structure of the catches, by both harvesting sector and by stock unit. The type of management program also effects the intensity and manner in which data is collected. For instance, quota management is very data-intensive. Collection of biological information for background for stock assessments cannot be done on a one-time basis, a time series needs to be established.

Dr Serchuk informed the board that the priorities in terms of the Center's response to management needs are funneled through the steering committee of the SARC and SAW process. Priorities for assessment are completed twice a year by the SAW Steering Committee. The members of the steering committee are the Executive Directors of the New England and Mid-Atlantic Councils, the Executive Director of the Commission, the regional Director, and the Center Director. Dr. Serchuk informed the board that in response to changing needs, this process has evaluated stock assessments for species not traditionally handled by this process. For example, at the stock review process conducted last spring tautog was evaluated. These changes are essential for embracing partnership and collaboration.

Dr. Serchuk reiterated that the Center is receptive and responsive to the needs of other parties, and to developing a collaborative effort for biological sampling. There are economies of scale that can assure that the collection system is proceeding to meet all the needs, or at least most of the needs that can be reasonably expected. Dr. Serchuk referenced an editorial by Mr. Dunnigan in Fisheries that it would be counterproductive to argue about who was in charge rather than focus on our common interests and how we get there. Dr. Serchuk pointed out that we need to discuss how to do the job better in collaboration, in partnership, than in relying on a traditional model that may perhaps no longer be appropriate given changing times.

Dr. Kline presented information that was obtained through two meetings held in August with representatives of the Northeast Fisheries Science Center and the states from Maine through North Carolina. Regional meetings were held on August 16 with the states from Maine through New York and August 30 with the states from New Jersey through North Carolina. New Hampshire, Connecticut and Maryland were unable to attend these meetings. The major focus of both these meetings was to facilitate the exchange of information on both the federal biological sampling program as well as programs conducted by individual states. Information was exchanged concerning the sampling needs and priorities of the federal and state agencies, and discussions were facilitated to determine where there were complementary activities. Discussions were also initiated to determine the various types of cooperative arrangements needed to mesh the priorities of the state and federal agencies and to build a cooperative program for the collection of biological information.

The Northeast Fisheries Science Center protocol for collection of biological information is to

collect 100 lengths and 25 scales or otoliths per 200 tons of landings. The sampling is stratified by market category, gear, and stock area. The sampling schedules for 1995 and 1996 were included in the information packets, and give an indication of the priorities of the Northeast Fisheries Science Center for each of the ports.

The basic requirements that the Center has for continuing biological sampling are six to nine full-time FTEs, with one full-time person in the six major ports and three roving samplers to continue collection in the areas in-between.

An overview of the individual state fishery-dependent sampling programs was presented. Only two states, Virginia and North Carolina, have dedicated directed programs for sampling biological information. Both these states provide that information to the National Marine Fisheries Service. Limited programs are conducted in Maine, Connecticut, and Delaware. Maine samples the lobster and northern shrimp fisheries, Connecticut samples the American shad gill net fishery, and Delaware samples the inshore gill net fishery. Sea sampling programs are conducted in Massachusetts and Connecticut, and by the Northeast Fisheries Science Center.

Several general issues were raised during these meetings. First, the issue of whether the at-sea sampling programs could be used to supplement some of the fishery-dependent information was discussed. There was some uncertainty on whether this would be possible. The indication from the Center was that it might be possible if samples are culled by market category. This may provide a long-term solution or provide supplemental information, but will probably not provide a solution for the short-term. The second issue concerned the prioritization mechanism used by the Center. Dr. Serchuk addressed this issue in his introduction by stating that priorities were set through the SARC process. The last issue was a statement that any cooperative program will require continued training and supervision of samplers, as well as coordination of the separate programs.

Several follow-up issues were referred back to the Center and the states for more detailed information. The Center was asked to respond to any state-specific questions concerning the species priority list. At the present time, we have received questions from Massachusetts. The second question was whether the sampling of hardparts could be conducted on an every-other-year basis as opposed to on an annual basis. The Center's response was that it was essential that hardparts be collected on an annual basis as well as on a quarterly basis to support stock assessments. This is essentially to provide a long time series of information and to sample the full range of year classes in the stocks that are sampled. The third question concerned the capability of the Center to process hardparts that were collected by the individual states. The Center's response was that they could process samples as long as the Center was currently processing samples for those species. Coordination with the Fishery Biological Investigation Section will be necessary. The fourth question concerned the possibility of funding from the National Marine Fisheries Service to assist the states. This issue is currently under review by the NMFS and will be contingent on the FY1996 budget. The last four issues are technical issues concerning transmission of data, data format standards and protocols by species, and the at-sea sampling schedule. Responses by the NEFSC are included in the information packets.

State follow-up issues concerned state-specific questions on the species priority list, state-specific sampling needs and priorities, and required levels of funding. Massachusetts provided several questions on the species priority list. State-specific sampling needs and priorities appeared to mesh with the priorities of the NMFS, with state priorities based on state needs, Commission needs, and needs of the Councils. Four states responded to the question on state funding requirements. Each of these states responded that they could assist NMFS with collection of biological information if funding were made available. Each of these states also responded that little or no assistance could be provided without some available funds.

The last follow-up issue was directed to the Northeast Regional Office to provide an estimation of the sampling levels that the port agent system could provide between the period of October 1, 1995 and April 1, 1996 to serve as a stop-gap measure. As Dr. Serchuk stated, the biological sampling program is probably not going to be linked to the port agent system, and therefore, a better solution needs to be developed.

### Discussions

Mr. Dunnigan questioned where the information on the number of FTEs was obtained. Mr. Christiansen responded that this was what the Center intended to do internally had there not been a hiring freeze. None of the field positions were approved or hired and are unlikely to be in the near future. Mr. Christiansen informed the board that this was what the Center had estimated it would take to conduct biological sampling. Mr. Dunnigan questioned whether this scenario would be to hire full-time FTEs or perhaps several half-time people. Mr. Christianson responded that the Center would prefer to hire full-time FTEs, however, a variety of options are being considered. Mr. Dunnigan responded that he was under the impression that prior to May biological sampling was conducted by the port agents as sort of an add-on activity, and that it was not something that required or necessarily could be done effectively by a full-time sampler. Dr. Serchuk responded that this scenario is the optimal approach to maintain and ensure collection of biological sampling following the Center's sampling protocol.

Dr. Serchuk pointed out several issues of importance that may need discussion. First, one of the benefits of using the traditional model of the port agents collecting biological samples is that they knew the fisheries, they were familiar with the ports, and they had insight into when landings were coming in. Loss of that expertise may have repercussions on conducting sampling. Dr. Serchuk pointed out that the Center would like a system that would use expertise that is already available so that there would be an entre into the port system. Secondly, Dr. Serchuk pointed out that because the landings patterns can be very erratic it is difficult to anticipate in which ports the landings will occur and therefore where to send the samplers. The idea of bringing in FTEs was to have the coverage if samples came in, while the idea of having roving samplers was to have the flexibility to switch sampling geographically. Dr. Serchuk reiterated that this approach, from the Center's point of view, is not very useful because those positions cannot be filled.

Mr. Dunnigan asked Dr. Serchuk to provide further information on the relative issues concerning

the federal hiring freeze and the potential for funds being available. Dr. Serchuk responded that the situation with hiring freezes and downsizing of government are not going to go away and may even get worse. He stated that there are ways to do the job without encumbering FTEs, including cooperative approaches, contracts, internships, etc. Each of these options will require funding with the funding situation being important in terms of choosing the most cost-effective manner to do the job. The cost and logistics of each of these options needs to be evaluated.

Mr. Pierce asked Dr. Serchuk to provide information to the board on how the Center is filling the hole now, who within the Center is in the field collecting biological samples. Mr. Pierce was concerned that if the age and growth biologists from the Center are in the field-then this provides less time for them to conduct age and growth work, which means fewer keys that are critical for assessments. Mr. Pierce asked whether the age and growth biologists are picking up the slack and whether they will continue to pick up the slack until the states get more involved. Dr. Serchuk responded that these people are involved. The Center also has contractual services, for example, with Ward College, and internships from Mass Maritime. The Center is trying to utilize all their resources without taking away people who have an ongoing critical activity. Dr. Serchuk informed the board that assistance is still being given by the statistics program, however, their job will become more difficult due to mandated activities. He stated that the statistics program may provide an interim stopgap measure, however, we cannot count on this for the long term.

Mr. Pierce asked Dr. Serchuk if sampling of hardparts and length frequencies was essential in each quarter of each year, or if every other year would suffice. Mr. Pierce wanted to know how flexible the assessments are in regard to the age-length keys produced from this data, whether a key for one year could be used for several other years. Mr. Pierce pointed out that if samples were not needed on a year-to-year basis it would free up alot of time to focus on length frequencies that are important in characterizing the abundance of fish by age group and that are critical for assessments. Dr. Serchuk responded that the assessment is the link to the management program. To the extent that the management program depends on annual changes and the precision of measuring these annual changes, annual data is essential to provide that precision and accuracy. Dr. Serchuk pointed out that these are dynamic resources, with changes occurring every year. Use of a combined age-length key applied over a few years will increase the bounds of uncertainty in the assessment. Application of one year's age-length key to another year assumes that the growth rates and the underlying parameters are the same, however, we know that these change. Dr. Serchuk pointed out that the adequacy of sampling is addressed through the SARC process through evaluation of the number of samples by area, gear, etc.

Mr. Fote asked Dr. Serchuk to clarify the attributes of the person collecting biological samples, specifically that the person must be familiar with the fisheries and the area. Mr. Fote suggested that contractors may not be the most cost-effective manner to conduct biological sampling because they lack some of the expertise on the fisheries. Dr. Serchuk responded that what is needed is a person to make contact and collect samples. There are other things that would enhance that process, that would contribute to better communication between the scientific aspects and the harvesting sector, that could be built into the system.

Mr. Colvin pointed out that we have a process that the states and the Commission participate in to identify biological sampling needs. These needs have been identified and will continue to be identified and refined over time, and over time they will be more closely adapted to our needs as they evolve. The bottom line is that to collect those data there need to be people doing the sampling and NMFS is not going to be able to hire those people. Mr. Colvin and Mr. Dunnigan agreed that the discussions should focus on the strengths of all individuals that can be used to make this work to everyone's benefit.

Mr. Dunnigan questioned the establishment of joint priorities, stating that as a Commission a series of priorities are established through Commission fishery management plans, however, states may have priorities that are specific to the state and not addressed through the SARC or the Commission process for setting priorities. Mr. Dunnigan suggested that the opportunities for cooperative and mutual planning need to be evaluated to determine where priorities overlap and where there are interests outside that overlap. Dr. Serchuk agreed that cooperative planning was necessary.

Mr. Fote questioned why sampling was conducted in some ports and not in others, even though the species range covered several ports and states. Dr. Serchuk provided information on the allocation of samples among states. The Center examines the landings data from the previous year in terms of distribution of landings by port and market category within ports in relationship to the stock. Total samples are then allocated on the basis of those considerations in order to ensure that an adequate representation characterizing landings is maintained. The Center then evaluates which ports account for which fraction of the landings of that stock. Then the Center recognizes that in many cases this initial allocation must be modified on the basis of sampling quantity and personnel constraints. The sampling allocations are made to sample the fleet not necessarily the state of landing.

Ms. Alden pointed out that in Maine many of the fisheries are not represented in the statistical or biological sampling due to the difficulty in sampling the bottom in Maine. For example, there is no statistical or biological sampling on ocean quahogs in eastern Maine even though this is a contentious issue for the Council. Ms. Alden pointed out that Maine is going through a major downsizing, however, in the process of downsizing Maine is attempting to beef up statistical collection to cover ports that are not included in the biological sampling system. Ms. Alden pointed out that there are some gaps in the NMFS sampling, for example, no sampling of cod in 1996 for the eastern Maine station. Ms. Alden pointed out that it is a problem when there is a federal management process that informs the state that they must collect their own data to be included in that process. Dr. Serchuk agreed that the concerns about state proprietary issues are important and need to be considered. He pointed out that this issue is one of the main reasons for entering into a common, integrated approach.

Mr. Pierce pointed out that we all have proprietary interests in these species and management plans. In Massachusetts the feeling is that all of us collectively have created a tremendous demand for biological information and that up to this point we have expected the NMFS to meet those needs. Mr. Pierce pointed out that this is unrealistic and unfair, since we have all created

problems due to the data-hungry management strategies that are chosen. The groundfish plan is moving towards quota management in one form or another. This is extremely data-hungry. Fluke, scup, and black sea bass management also use data-hungry strategies. Mr. Pierce stated that it is necessary for the group of states to assist as best they can and to determine a more creative approach to collection of biological information. Better cooperation with the NMFS is essential to this process.

Mr. Pierce stated that Massachusetts does not have any biological sampling programs, but has put priority on the sea-sampling aspects of data collection. Massachusetts will supplement the biological sampling information from the Center with sea sampling, with the intent to get estimates of discard. Mr. Pierce stated that Massachusetts would like to explore with the assessment scientists the potential for supplementing and possibly replacing biological information with at-sea sampling information. At-sea sampling provides direct information on where the fish were caught, as opposed to port agents using his or her knowledge to determine where the catch actually came from. Massachusetts is currently evaluating ideas for shifting priorities within house, using existing monies, and additional monies from the NMFS to meet the demands created through involvement in the management process. Massachusetts feels it is important to get more involved, for example, in collection of biological information for scup and black sea bass. Massachusetts landings will differ greatly from other states size composition information since Massachusetts has a 9-inch minimum size on scup.

Mr. Travelstead questioned Dr. Serchuk as to the existing holes in sampling for each port. Dr. Serchuk stated that this information was provided in the information packet, but that currently sampling was on an ad hoc basis. Mr. Christiansen responded that Virginia and Maryland were covered, but the situation gets worse as you go north. There is very little sampling capability in New Jersey. Two samplers who covered Portland, southern Maine, New Hampshire and sometimes Rockland were lost in Maine, creating a major problem. The Center will send people from Woods Hole to Maine to cover those ports. Boston is covered by a contract with Gordon College. Woods Hole personnel will need to cover New Bedford. Rhode Island will be covered for a little while, with personnel from Narragansett Lab assisting if needed. No specific sampling is conducted in Connecticut. Long Island is a major problem, and may be covered by Woods Hole or Sandy Hood personnel. Mr. Christiansen stated that NMFS is approaching a critical period, and will cover sampling by sending out Center personnel.

Mr. Travelstead summarized by pointing out that the system is not about to collapse in the short-term, but that there is a long term concern that the program will continue to erode. He stated that until the funding question is answered, it will be difficult for the states to commit. Mr. Travelstead suggested that staff, working with some of the states where it is more critical, evaluate an integrated program for the future.

Mr. Grout stated that until funding is made available the states will be unable to pick up biological sampling. New Hampshire currently has a hiring freeze and would be unable to hire personnel even with additional funding from NMFS. New Hampshire is able to hire personnel for a six-month period, or may be able to contract. Contracts, however, will take a great deal

of administrative time.

Ms. Alden agreed that there would be some savings and efficiencies to developing a cooperative program. If certain states have personnel in the field, it would be more efficient to collect this information cooperatively. Ms. Alden pointed out that it would be constructive to look at the quality control of the program as being jointly managed by the states and the federal system. However, additional funding is essential to this process.

Mr. Colvin summarized that the sentiment among the Board members was to support exploring concepts for an integrated cooperative program, recognizing that the states have a unique situation that would need to be researched and carefully explored in the context of every state's financial circumstances, its ability to pay, and ways in which it can use funds right now. Mr. Colvin stated that states are moving in different directions and it will take some time and staff work to pull this together. He stated that more information on federal financing support needs to be right up front in the discussions on developing a cooperative program.

Mr. Dunnigan questioned the Board on how important it is for the Commission to take the lead and invest in a solution to this problem. Mr. Colvin clarified that the question is whether staff time, energy, travel resources, et cetera, should be put into developing a cooperative program. Mr. Colvin asked Mr. Travelstead for the sentiments of the Statistics Committee. Mr. Travelstead stated that the committee would be interested in pursuing the development of an integrated approach to the problem. Mr. Travelstead stated that this program would tie in with the work being done on the statistics MOU. Mr. Travelstead questioned the impact this would have on staff tasks, and whether this would impact development of fishery management plans that are being worked on. Mr. Dunnigan responded that the Commission is following a plan for utilizing the new funding available under the Atlantic Coastal Act, however, there are still some shortfalls. There is no staff person in a position to work assertively on the five species under the purview of the South Atlantic Board. Staff is not able to deal with a number of species in the northern area, such as northern shrimp, menhaden, and lobster. The Commission has not hired a population dynamicist or a law enforcement coordinator. The Commission has also not spent as much money on meetings and travel as was set aside. Therefore, there is some opportunity to make revisions in the plan.

Mr. Dunnigan summarized that the states have a strong interest in the assessment process and that they would be well served by a sampling program that more broadly takes into account all needs and capabilities. A cooperative program is needed that best makes use of federal, state, and Commission resources as they are appropriately available. Mr. Dunnigan stated that staff could meet with Center personnel, and state personnel, to develop a program document that includes the specifics of the program for each state. Mr. Colvin suggested that staff work with the Statistics Committee to develop this document. Mr. Cole suggested that the U.S. Fish and Wildlife Service may be able to assist with data collection efforts under a cooperative program.

Mr. Colvin suggested that the impact in terms of resources will be for the northeast region only and asked the southern states in attendance to comment on any concerns they may have. Mr.

Cupka stated that he had no problems with the Commission moving forward to develop this program. The South Atlantic currently has a cooperative statistics program to collect biological information (TIP program), which is supported by the Southeast Fisheries Science Center. The South Atlantic also utilizes resources from other programs, such as the BIOMAT program, to collect biological information.

Mr. Foster offered a fisherman's perspective on the issue. He suggested that the public needs to see this information in a more timely manner. This would build support for the program, and for continued funding, by fishermen and the public.

The meeting was adjourned by Chairman Colvin at 10:10 am.

ISFMP POLICY BOARD  
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7/18/95

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