

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF FISH AND WILDLIFE

Division of Fish and Wildlife

3500 Tidal Finfish

3511-3512 Flounder (Summer Flounder; Winter Flounder)

3511 Summer Flounder Size Limits; Possession Limits; Season

(Penalty Section 7 **Del.C.** §936(b)(2))

1.0 It shall be unlawful for any recreational fisherman to have in possession more than 4 summer flounder at or between the place where said summer flounder were caught and said recreational fisherman's personal abode or temporary or transient place of lodging.

2.0 It shall be unlawful for any person, other than qualified persons as set forth in section 4.0 of this regulation, to possess any summer flounder that measure less than 16 inches between the tip of the snout and the furthest tip of the tail from January 1 through May 31 and less than 17 1/2 inches from June 1 through December 31.

7 DE Reg. 1575 (05/01/04)

12 DE Reg. 1430 (05/01/09)

13 DE Reg. 1468 (05/01/10)

14 DE Reg. 1235 (05/01/11)

16 DE Reg. 1283 (06/01/13)

17 DE Reg. 1091 (05/01/14)

21 DE Reg. 239 (09/01/17)

22 DE Reg. 304 (10/01/18)

25 DE Reg. 1147 (06/01/22)

27 DE Reg. 772 (04/01/24)

3.0 It shall be unlawful for any person, to have in possession any part of a summer flounder that measures less than 16 inches from January 1 through May 31 and less than 17 1/2 inches from June 1 through December 31 between said part's 2 most distant points unless said person also has in possession the head, backbone and tail intact from which said part was removed.

13 DE Reg. 1468 (05/01/10)

14 DE Reg. 1235 (05/01/11)

16 DE Reg. 1283 (06/01/13)

17 DE Reg. 1091 (05/01/14)

21 DE Reg. 239 (09/01/17)

22 DE Reg. 304 (10/01/18)

25 DE Reg. 1147 (06/01/22)

27 DE Reg. 772 (04/01/24)

4.0 Notwithstanding the size limits and possession limits in this regulation, a person may possess a summer flounder that measures no less than 14 inches between the tip of the snout and the furthest tip of the tail and a quantity of summer flounder in excess of the possession limit set forth in this regulation, provided said person has one of the following:

4.1 A valid bill-of-sale or receipt indicating the date said summer flounder were received, the amount of said summer flounder received and the name, address and signature of the person who had landed said summer flounder;

4.2 A receipt from a licensed or permitted fish dealer who obtained said summer flounder; or

4.3 A bill of lading while transporting fresh or frozen summer flounder.

4.4 A valid commercial food fishing license and a food fishing equipment permit for gill nets.

25 DE Reg. 1147 (06/01/22)

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- 5.0 It shall be unlawful for any commercial finfisherman to sell, trade and or barter or attempt to sell, trade and or barter any summer flounder or part thereof that is landed in this State by said commercial fisherman after a date when the de minimis amount of commercial landings of summer flounder is determined to have been landed in this State by the Department. The de minimis amount of summer flounder shall be 0.1% of the coast wide commercial quota as set forth in the Summer Flounder Fishery Management Plan approved by the Atlantic States Marine Fisheries Commission.
- 6.0 It shall be unlawful for any vessel to land more than 200 pounds of summer flounder in any 1 day in this State.
- 7.0 It shall be unlawful for any person, who has been issued a commercial food fishing license and fishes for summer flounder with any food fishing equipment other than a gill net, to have in possession more than 4 summer flounder at or between the place where said summer flounder were caught and said person's personal abode or temporary or transient place of lodging.

1 DE Reg. 1767 (05/01/98)

2 DE Reg. 1900 (04/01/99)

3 DE Reg. 1088 (02/01/00)

4 DE Reg. 1552 (03/01/01)

5 DE Reg. 462 (08/01/01)

5 DE Reg. 2142 (05/01/02)

6 DE Reg. 1358 (04/01/03)

7 DE Reg. 1575 (05/01/04)

8 DE Reg. 1488 (04/01/05)

9 DE Reg. 1759 (05/01/06)

10 DE Reg. 1722 (05/01/07)

11 DE Reg. 1493 (05/01/08)

12 DE Reg. 1430 (05/01/09)

13 DE Reg. 1468 (05/01/10)

14 DE Reg. 1235 (05/01/11)

16 DE Reg. 1283 (06/01/13)

17 DE Reg. 1091 (05/01/14)

21 DE Reg. 239 (09/01/17)

22 DE Reg. 304 (10/01/18)

25 DE Reg. 1147 (06/01/22)

27 DE Reg. 772 (04/01/24)

3512 Winter Flounder Size Limit; Possession Limit; Seasons.

(Penalty Section 7 **Del.C.** §936(b)(2))

- 1.0 It shall be unlawful for any person to possess any winter flounder, (*Pseudopleuronectes americanus*), that measure less than 12 inches, total length.
- 2.0 It shall be unlawful for any recreational fisherman to have in possession more than 2 winter flounder per day (a day being 24 hours) at or between the place where said winter flounder were caught and said recreational fisherman's personal abode or temporary or transient place of lodging.
- 3.0 It shall be unlawful for any recreational fisherman to take and reduce to possession any winter flounder before 12:01 AM February 11 or after midnight April 10 in any given calendar year.

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- 4.0 It shall be unlawful for any non-federally licensed commercial fishermen to harvest, land or possess more than 50 pounds of winter flounder per day. Federally licensed commercial fishermen are subject to current federal winter flounder harvest, landing, and possession limits.

8 DE Reg. 1718 (06/01/05)

13 DE Reg. 672 (11/01/09)