

# CAPE GAZETTE

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## Horseshoe crabs win big at Prime Hook Beach

*By Rachel Swick  
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*"Never doubt that a small group of committed citizens can change the world. Indeed, it is the only thing that ever has." - Margaret Mead*

Residents at Prime Hook beach have banded together to create a community-based horseshoe crab sanctuary. They made their effort official Tuesday, July 10.

Glenn Gauvry, president of the nonprofit Ecological Research & Development Group (ERDG), started the community-based horseshoe crab sanctuary program in 1999 and since has convinced several communities to declare their shared habitat crab sanctuaries.

"This program is about the horseshoe crab and the expressed collective will of a community to protect and conserve this species that once a year shares its habitat," said Gauvry.

"Not as food for another species, not as bait, not for pharmaceutical purposes, but because they are living beings deserving of respect."

Broadkill Beach was the first horseshoe crab sanctuary, and the community's efforts were celebrated by then-Gov. Tom Carper, who visited the sanctuary in 2000.

In Prime Hook, an unincorporated, private beach community of about 180 property owners, a few individuals spearheaded sanctuary efforts with help from ERDG. John Nicosia, chairman of the board of directors for the Prime Hook Beach Organization, asked Diane Allan and Dale Lynch to research establishing a horseshoe crab sanctuary.

### **Owners sign on**

Allan and Lynch then wrote letters to the property owners, asking them to sign on to the idea. Since March, the pair has received 58 signatures, enough to move forward with the sanctuary.

“We have been thrilled at the overwhelmingly positive response from our community,” said Allan. “The final task will be raising funds for the sign marking us as an official Horseshoe Crab Sanctuary.”

The sanctuary is enforced under Delaware code, but most of the enforcement will be through community volunteers who will monitor for illegal harvesting.

“The residents of Prime Hook are excited to join our fellow Delaware Bay beaches from Pickering to Broadkill in doing our part to protect these magnificent creatures,” said Nicosia. “Respect for the horseshoe crab is not new to Prime Hook, as residents have been good stewards of the environment and recognize that we are a critical barrier community protecting the Prime Hook freshwater refuge.”

### **Moratorium overturned**

In November, Delaware Department of Natural Resources and Environmental Control Secretary John Hughes signed a law putting a moratorium on horseshoe crab harvests. That moratorium was overturned in June after watermen and a bait business appealed it to Superior Court.

Attorney Tim Willard of Fuqua & Yori, a Georgetown-based office, represented Charlie Auman, a Slaughter Beach waterman, and Bernie's Conchs, a company that buys and sells horseshoe crabs.

"Waterman like Charlie Auman are rare and endangered, fortunately now they are not extinct," Willard said of the court's ruling.

Superior Court Judge Richard Stokes issued his decision on Friday, June 15, after researching all aspects of the case and the information that was presented to him at a hearing held in May.

"It was very apparent after the oral argument that Judge Stokes had thoroughly studied the briefs and knew the record cold.

His opinion, which was expedited, was very well reasoned and supported," said Willard. "The State has chosen not to challenge the decision."

Instead of challenging, Hughes released new regulations on Monday, June 11, which proposed a male-only harvest, an option that was previously supported by both the watermen and Atlantic States Marine Fisheries Commission.

Environmental groups including the Delaware and New Jersey Audubon societies, American Littoral Society and the Delaware Riverkeeper Network filed a memorandum requesting Superior Court consider reinstating the moratorium.

Nick DiPasquale of the Delaware Audubon Society said when the judge ruled in favor of the watermen, he only focused on the horseshoe crab population and did not consider the plight of shorebirds, including the red knot. The red knot has one of the longest migratory paths and relies on the horseshoe crab eggs along the Delaware Bay. Red knot numbers have plummeted in the past decade and DiPasquale reported that this year there were 1,000 fewer red knots stopping in Delaware than last year.

Superior Court denied the environmentalists' appeal, but it still has a chance in Supreme Court where the case could be tried again.

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