

**PROCEEDINGS
OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
AMERICAN EEL MANAGEMENT BOARD**

**May 10, 2005
Radisson Hotel Old Towne
Alexandria, Virginia**

ATTENDANCE

Board Members

Lew Flagg, Maine DMR	Mike Kaufmann, Pennsylvania FBC
John Nelson, New Hampshire F&G	Eugene Kray, proxy for Rep. Schroeder (PA)
Dennis Abbott, proxy for Rep. Blanchard (NH)	Roy Miller, Delaware DFW
Ritchie White, New Hampshire Gov. Apptee.	Howard King, Maryland DNR
David Pierce, Massachusetts DMF	Bruno Vasta, Maryland Gov. Appointee
Vito Calomo, proxy for Rep. Verga (MA)	A.C. Carpenter, PRFC
William Adler, Massachusetts Gov. Appointee	Jack Travelstead, Virginia MRC
Mark Gibson, Rhode Island DFW	Kelly Place, proxy for Sen. Chichester (VA)
Everett Petronio, Rhode Island Gov. Appointee	Preston Pate, North Carolina DMF
Eric Smith, Connecticut DEP	David Cupka, South Carolina DNR
Fred Frillici, proxy for Sen. Gunther (CT)	Dale Theiling, proxy for Robert Boyles (SC)
Lance Stewart, Connecticut Gov. Appointee	Spud Woodward, Georgia CRD
Gordon Colvin, Chair , New York DEC	John Duren, Georgia Gov. Appointee
Pat Augustine, New York Gov. Appointee	Tom Meyer, NMFS
Ed Goldman, proxy for Assemblyman Smith (NJ)	Jaime Geiger, US FWS
Tom Fote, New Jersey Gov. Appointee	

Ex-Officio Members

Joe Fessenden, LEC Representative

ASMFC Staff

Bob Beal	Lydia Munger
Vince O'Shea	

Guests

There may have been others in attendance who did not sign the attendance sheet.

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MOTIONS

Move to approve terms of reference for upcoming benchmark stock assessment.

Motion made by Mr. Nelson, second by Dr. Geiger. Motion carries without objection.

Move to appoint Patricia Bryant (ME) and Robert Evans (MD) to the Eel Advisory Panel

Motion made by Dr. Kray, second by Mr. Augustine; motion carries without objection.

**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

**AMERICAN EEL MANAGEMENT
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May 10, 2005

The meeting of the American Eel Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Radisson Hotel Old Towne, Alexandria, Virginia, on Tuesday, May 10, 2005, and was called to order at 8:00 o'clock, a.m., by Chairman Gordon C. Colvin.

WELCOME & INTRODUCTIONS

CHAIRMAN GORDON C. COLVIN: I call to order the meeting of the American Eel Management Board. You have before you the draft agenda of the meeting. Are there any additions or suggested revisions to the agenda?

BOARD CONSENT

Any objection to proceeding with the agenda as printed? Without objection we'll proceed. The first issue on the agenda is to approve the proceedings from the February 8, 2005, board meeting. Pat Augustine.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman, **so moved we accept.**

CHAIRMAN COLVIN: Seconded by John Nelson. Is there objection to the motion? Without objection the motion is approved; the proceedings are approved.

PUBLIC COMMENT

CHAIRMAN COLVIN: We now proceed to public comment. At this time are there any members of the public or guests who wish to make a statement before the Eel Board? Seeing none, thank you. Then we proceed to review and action on the draft terms of reference for the upcoming American eel stock assessment. Lydia.

**REVIEW AND ANTICIPATED
APPROVAL OF DRAFT TERMS OF
REFERENCE**

MS. LYDIA MUNGER: Thank you, Mr. Chairman. The stock assessment subcommittee chair is Matt Cieri and he couldn't be with us today but there are five draft terms of reference that the stock assessment subcommittee has put together for the 2005 stock assessment for board review and I'll just quickly go through those for the board.

The first draft term of reference is evaluate adequacy, appropriateness, and uncertainty of available fishery dependent and fishery independent data sources for use in the stock assessment.

Number 2: evaluate adequacy, appropriateness, application, and uncertainty of models or other analytical methods for use in the assessment of the species and estimating population benchmarks. Number 3: estimate and evaluate fishery status and stock status and the uncertainty of these estimates using appropriate data sources.

Number 4: if possible estimate biological reference points or appropriate proxies and evaluate fishery and stock status relative to these reference points. And, Number 5: develop recommendations for future

research to improve data collection and future assessments.

CHAIRMAN COLVIN: Thank you, Lydia. Are there any questions on the proposed terms of reference? **We do need to approve these terms of reference.** John Nelson.

MR. JOHN I. NELSON JR.: **So moved,** Mr. Chairman.

CHAIRMAN COLVIN: Moved by Mr. Nelson, second by Dr. Geiger. Is there discussion on the motion? Is there objection to the motion? Seeing none, the motion carries; the terms of reference are adopted. Lydia will now update us on the population dynamics workshop.

UPDATE ON EEL POPULATION DYNAMICS WORKSHOP

MS. MUNGER: Thank you, Mr. Chairman. Staff prepared a brief two-page summary of this American eel population dynamics workshop and this was given to the board in the briefing book. There are extra copies on the back table if you need them.

But the population dynamics workshop took place at Virginia Tech March 22nd through 24th and was organized by Paul Angermaier, Andy Dolloff, and Jim McCleave. Paul Angermaier is from the U.S.G.S. and Virginia Tech. Andy Dolloff is from the Forest Service at Virginia Tech. And Jim McCleave is from the University of Maine.

There were a diverse set of attendees from all different backgrounds, not all eel biologists. Some were geneticists. Some were population dynamics modeling, people with specialties in modeling. And then some were actually eel biologists. There

were physical oceanographers and circulation modelers.

And the workshop started off with an overview of eel biology, partially so that everybody was on the same page and partially because not everybody present was an eel biologist. So the reviews on eel biology focused in on trends in growth and abundance and also factors that contributed to mortality at each life stage.

Then each of the factors were grouped together and evaluated based on a number of factors including: expected importance to the eel population; expected geographic variation, so north to south, et cetera; degrees of uncertainty associated with each of these factors; and also manageability.

The main point of this workshop was to identify questions about the eel stock that could be answered by various research initiatives. But the workshop did focus on questions that were relevant to management so I thought it was especially pertinent to present this to the board.

The questions were then discussed in break-out groups and focus was put on data sources that were already available to answer these questions, general study design so that studies could be designed to answer these questions. And candidate scientists and institutions and potential funding sources were identified to begin to answer these questions.

There was also significant discussion of the ASMFC stock assessment and there was discussion about the potential for model development; it wouldn't be in time for this assessment but perhaps for the next benchmark assessment.

The process would probably take about three

to four years but it was compared to the horseshoe crab model development process. And it was thought by most of the people in attendance that this was something that could be developed for eel.

The proceedings from this workshop are not yet available but when they are I will be distributing them to the board and at this time if the board has any questions about this workshop I'm happy to answer them.

CHAIRMAN COLVIN: Questions. David.

DR. DAVID PIERCE: Would you put the slide back on the screen, please. Okay, I'm a bit confused in that the workshop indicates that it's a three-to-four-year process for our getting a stock assessment for eels. Is that what that's saying or am I misunderstanding?

MS. MUNGER: No, there will be a stock assessment taking place this year. But the stock assessment subcommittee, although they haven't seen all the data yet, they're unsure about what types of models they may be able to use. It may be more of an index-based assessment.

And this discussion at the workshop was actually revolving around trying to develop specific models for eel population dynamics and that that, developing those models, would take three to four years. But there will be at least an index-based assessment this year.

DR. PIERCE: Okay, so the terms of reference that we've just adopted do relate to the workshop in the sense that those involved with the assessment will be drawing on the results of this workshop, being guided by I assume the conclusions of the workshop, especially as it relates to the

model development since that's one of the terms of reference, adequacy of models. All right, thank you.

MS. MUNGER: That's correct, David. Also the data workshop for this current stock assessment is going to take place at the end of this month. And a number of the people who were in attendance at the population dynamics workshop will be at the data workshop so that should provide some continuity between the two.

CHAIRMAN COLVIN: A.C.

MR. A.C. CARPENTER: Lydia, would you also mail a copy of this report when it comes out to the Eel Advisory Panel members. I think they'd be interested in it.

CHAIRMAN COLVIN: Good thought. Thank you, A.C. Any further comments, questions? Thank you. At this point we'll move to an update of the federal eel status review and ESA petition, Dr. Geiger.

UPDATE ON FEDERAL STATUS REVIEW AND ESA PETITION

DR. JAIME GEIGER: Thank you, Mr. Chairman. As I mentioned last time, the services have finalized their 90-day finding. That has gone into the respective Washington offices for review and comment.

I was hopeful at the last meeting that this would be finalized and we'd be able to publish the results in the Federal Register in June. Given some of the additional requirements that our department is putting on us my sense is that may be delayed for probably a month.

But, regardless, the services did make a commitment that irrespective of the decision on the ESA petition that we are moving forward with a status review. Indeed we are putting together some draft processes on how to do a comprehensive status review.

We've had some preliminary discussions with NOAA Fisheries on identifying specific areas of expertise where we would request and require some of that scientific and management expertise.

We'll also be sending letters to the commission as well as to other organizations such as the Great Lakes Fisheries Commission, MICRA, some of the other organizations that will be able to assist us on getting the necessary data to do a comprehensive status review.

I'm optimistic that we'll be able to do it within the timeframe of the ESA requirements as well as meet the expectations of this commission. Thank you very much.

CHAIRMAN COLVIN: Thanks, Jaime. Are there any questions from board members regarding the status of the review or the process? Jaime, you talked in terms of reaching out to parties including the commission with respect to discussion of the development of the process for the review.

When you do expect that we'll be in communication with you on that regard? Is that something we should look forward to for a time-certain, say our August meeting, to discuss?

DR. GEIGER: Yes, Mr. Chairman. I'm hopefully to have some letters to the commission and to the states laying out the draft process on how we're going to do this, the status review, and that should be to you

all well before the August meeting, sir.

CHAIRMAN COLVIN: Thank you. Anything further? The next item will be the advisory panel nominations, Lydia.

REVIEW AND APPROVAL OF ADVISORY PANEL NOMINATIONS

MS. MUNGER: Thank you, Mr. Chairman. The commission staff received two new nominations for the American Eel Advisory Panel: Patricia Bryant, a glass eel harvester from Maine; and Robert Evans, a commercial pot fisherman from Maryland. Their nomination packets I believe were distributed to the board. There are extras on the back table if you have any questions.

CHAIRMAN COLVIN: Is there a motion with respect to these?

DR. EUGENE KRAY: So moved.

CHAIRMAN COLVIN: I have a motion from Gene Kray.

DR. KRAY: **I move for approval of the nominees.**

CHAIRMAN COLVIN: Second from Pat Augustine. Is there objection to the motion? Without objection the nominees are approved and added to the advisory panel. I also have one further item on the issue of advisory panel that I'd like to brief the board on.

As you know, we have widely solicited nominations for two additional advisory panel members from the non-traditional fisheries sectors and have received or I am pleased to tell you that we have received a number of I guess applications is the word or nomination packages submitted by interested parties.

And we have the happy task of gleaning two members from a somewhat larger list. What we propose to do is to try to sit down, myself, Dennis Abbott.

We're going to invite some of the members of the board who may wish to participate in this to sit down with Tina and Lydia today and review what we have and perhaps develop some recommendations back to the board on which of the applicants we will appoint to the advisory panel.

So, I guess the message that I want to give you at this point is that first we're looking for some additional volunteers. And I certainly want to ask our vice chairman, A.C. Carpenter, to join us in that deliberation and to express appreciation to Dennis for volunteering to do that.

And I ask if there are any other persons who would like to be part of that review and discussion and also ask if the board is comfortable with this process of having us come back to you with kind of a list of recommended candidates once we've had a chance to review what we have in hand. Actually we'll be doing this at our next meeting but we hope to have the discussion today. Gene.

DR. KRAY: Gordon, before I volunteer, what time today are you going to have that meeting?

CHAIRMAN COLVIN: Lunch.

DR. KRAY: I won't be available. I'm sorry. By the way, I'm comfortable with the process. I think it's great.

CHAIRMAN COLVIN: Thank you. Yes.

MR. EVERETT PETRONIO JR. Gordon, I would be available if you were so inclined.

CHAIRMAN COLVIN: That's great. Thank you. Lance. Okay. And Roy. All right, that's a very good group and I'm sure that will work out well. If folks are comfortable with that, that's how we'll proceed.

Tina, we'll need a big table and lots of copies. Thank you. That's how we'll proceed with that, then. And we'll let you know the outcome at our next meeting. Is there any other business to come before the Eel Board this morning? Bill.

OTHER BUSINESS

MR. WILLIAM A. ADLER: Thank you, Mr. Chairman. I just wanted to know what was the status, we had a public hearing -- I know in Massachusetts we had it on April 19th. What's the timeframe? I'm sort of surprised I didn't see something here. What's going on?

CHAIRMAN COLVIN: Those hearings are still underway among the states, Bill, but, Lydia, do you want to update us on how many we've had and how many we have to have yet?

MS. MUNGER: Thank you, Mr. Chairman. Seven hearings have taken -- excuse me, ten hearings have taken place; I've been to seven. There are three additional hearings that will be taking place next week. And the public comment period actually ends June 10th so at that point the written public comment will be summarized also and that will be reported to the board at the August meeting.

MR. ADLER: Thank you.

CHAIRMAN COLVIN: Jaime.

DR. GEIGER: Mr. Chairman, Dr. Wilson Laney has a brief update of eels in the Roanoke system that I think the board would find interesting, with your permission.

CHAIRMAN COLVIN: I'm sure we would. Wilson.

DR. WILSON LANEY: Thank you, Mr. Chairman. As a part of the settlement agreement with Dominion Generation who is the hydropower utility on the Roanoke River that owns and operates the first two dams eel passage was a part of that agreement.

And I'm pleased to report they began sampling below the dam in the bypass reach of the river about a month and a half ago. They were not as optimistic as some of the resource agencies were about how many eels they would be likely to catch.

And I'm happy to report that as of today they've caught between 8,000 and 10,000 juvenile eels moving up the river. Next Monday I think we have the first meeting of the Diadromous Fish Technical Advisory Committee and we'll be getting a full report so I'll pass along any additional information. And if any of you are interested in details just see me later. Thank you.

CHAIRMAN COLVIN: Thanks, Wilson. Any further business before the Eel Board this morning? Seeing none we stand adjourned. Thank you very much.

(Whereupon, the American Eel Management Board meeting adjourned on Tuesday, May 10, 2005, at 8:20 o'clock, a.m.)

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