



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** American Eel Management Board  
**FROM:** American Eel Advisory Panel  
**DATE:** April 16, 2024  
**SUBJECT:** Advisory Panel Report

The Advisory Panel (AP) met virtually April 2, 2024 to review Draft Addenda VI and VII, as well as a summary of public input received during the comment period, and to elect a new AP Chair. Five AP members were in attendance on the call (see below). Staff continues to recommend states revisit their current AP membership in order to improve attendance and participation.

**Participating AP Members:** Mari-Beth DeLucia (TNC, Chair), Mitch Feigenbaum (PA), Richard Stoughton (SC), Timothy LaRochelle (ME), Sara Rademaker (ME)

**Additional Attendees:** Megan Ware (ME), Corrin Flora, Barry Kratchman, Jesse Hornstein (NYDEC), Kristen Anstead (ASMFC)

Caitlin Starks provided an overview of the two Draft Addenda currently under development. Draft Addendum VI addresses Maine's glass eel quota, and Draft Addendum VII considers changes to the yellow eel coastwide catch limit and monitoring requirements. The advisors' input on the proposed options in the Addenda and the public comments is summarized below.

### Draft Addendum VI

On the Maine glass eel quota, Tim LaRochelle and Sara Rademaker, both advisors representing Maine, support the status quo option. Tim noted that in the last few years they have seen phenomenal amounts of glass eels in Maine, and have had large catches that had to be released to prevent exceeding the quota.

Tim and Sara also supported Option 1 for the quota timeframe, so that Board action is not required to keep the same quota in place. Mitch Feigenbaum and Richard Staunton agreed with the Maine advisors. They think Maine is doing a good job managing the fishery and they see no reason to disagree with the public comments in support of status quo.

### Draft Addendum VII

Regarding the coastwide harvest cap for yellow eel (Section 3.1), three of the five AP members on the meeting favored status quo. This was the overwhelming position of adult eel harvesters that attended the state meetings in New Jersey, Maryland, Delaware.

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Although Mitch was in favor of status quo, he acknowledged that of the other cap options, Option 5 would cause little short-term disruption to the fishery while, at the same time, expressing that Option 2 is so draconian that it would likely put the yellow eel industry out of business and could lead to the end of the commercial fishery altogether. If currently-depressed market conditions were to improve, Option 5 would allow for some growth in the fishery only up to a point that would still be restricted to the low end of historical volumes.

Mitch did not express a preference for either of the option under Issue 2 (management response to exceeding the quota) but he did comment that the current process if the cap is exceeded seems very complicated it seems that quota management for yellow eel might be simpler.

Mari-Beth DeLucia supported Option 3 for the coastwide cap (518,281 pounds) because there is enough data to support taking a more precautionary approach with the species. This is especially true because we only have information on a portion of the range, and there are more drastic declines in other parts of the range.

AP member Sara Rademaker expressed no position about the coastwide cap options.

Regarding Section 3.2 (timeframe for yellow eel cap) Mitch and Sara spoke in support of Option 1, meaning the cap could be updated after 3 years. As there is better data and modeling, the cap should be able to be updated sooner. The other AP members did not comment on this issue.

On Section 3.3 (young-of-year [YOY] biosampling), all of the AP members present were in favor of Option 2, to make the collection of individual lengths and pigment stages during YOY surveys optional. They did clarify that the surveys should always distinguish the age class they are sampling (i.e., glass eel or elvers, year 0 or year 1).

On Section 3.4 (Catch-per-unit-effort [CPUE] reporting), Mitch, Sara, and Richard supported Option 1, status quo. They said it is important to keep the CPUE requirement since this is a data poor species and the public comments support it. Mitch added that the Technical Committee has said previously that without effort the fishery catch information cannot be used as an index.

Mari-Beth was in favor of Option 2 to make the CPUE reporting requirement optional; she noted that with limited resources, the states may be able to improve data collection in other areas without the burden of this requirement.

Regarding Section 3.5 (*de minimis* status) the AP members said they do not have a strong preference and can support Option 2 if that is the recommendation from the Commission.

Mitch provided some additional thoughts related to Draft Addendum VII, including concerns about the accuracy of the fishery independent indices that are used for  $I_{TARGET}$  and that the

surveys are only capturing areas where the fishery occurs, not the vast majority of the US range. He noted that the stock assessment faces challenges with eel being a data poor species with a very unique life cycle. The last four assessments have been searching for a model that will get us closer to biological reference points, but he does not think *I<sub>TARGET</sub>* is necessarily better than previous models.

#### AP Chair

The AP held an election for the AP Chair position. Mitch Feigenbaum was nominated, and was elected with the support of all the AP members present. Mitch noted that he will serve as the AP Chair for an appropriate term, based on the feedback and preferences of the Eel Board Chair and other Pennsylvania delegates. Thereafter, he expects to step down from the AP, after almost twenty years of proud participation at ASMFC on the Panel and as a (proxy) Commissioner for Pennsylvania.