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

**The Crowne Plaza Hotel – Old Town
Alexandria, Virginia
August 14, 2007**

These minutes are draft and subject to approval by the American Eel Management Board.
The Board will review the minutes during its next meeting.

TABLE OF CONTENTS

Call to Order	1
Approval of Agenda.....	1
Approval of Proceedings.....	1
Public Comment.....	1
Update on Development of Draft Addendum II	1
Stock Assessment Subcommittee Proposal	1
Update on the Development of an MOA with the Great Lakes Fishery Commission	3
Other Business	5
Adjourn	5

INDEX OF MOTIONS

1. **Approval of Agenda by Consent** (Page 1)
2. **Approval of Proceedings of January, 2007 by Consent** (Page 1)
3. **Adjournment by consent.** (Page 5)

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ATTENDANCE**Board Members**

George Lapointe, ME (AA)
 Sen. Dennis Damon, ME (LA)
 Rep. Dennis Abbott, NH (LA)
 David Pierce, MA, proxy for Paul Diodati (AA)
 Vito Calomo, MA, proxy for Rep. Verga (LA)
 William Adler, MA (GA)
 Mark Gibson, RI, (AA)
 Eric Smith, CT (AA)
 Dr. Lance Stewart, CT (GA)
 Steve Heins, NY, Proxy for G. Barnhart (AA)
 Pat Augustine, NY (GA)
 Brian Culhane, NY, proxy for Sen. Johnson (LA)
 Tom McCloy, NJ, proxy for David Chanda (AA)
 Erling Berg, NJ (GA)
 Dick Herb, NJ, proxy for Asm. Fisher (LA)
 Leroy Young, PA, proxy for Douglas Austen (AA)
 Frank Cozzo, PA, proxy for Rep. Schroeder (LA)
 Eugene Kray, PA (GA)
 Roy Miller, DE, proxy for Patrick Emory (AA)

Bernard Pankowski, DE, proxy for Sen. Venables (LA)
 Howard King, MD DNR (AA)
 Bruno Vasta, MD (GA)
 Russell Dize, MD, proxy for Sen. Colburn (LA)
 Jack Travelstead, VA, proxy for Steve Bowman (AA)
 Catherine Davenport, VA (GA)
 Kelly Place, VA, proxy for Sen. Chichester (LA)
 Louis Daniel, NC (AA)
 Jimmy Johnson, NC, proxy for Rep. Wainwright (LA)
 John Frampton, SC (AA)
 Malcolm Rhodes, SC (GA)
 John Duren, GA (GA)
 Spud Woodward, GA, proxy for Susan Shipman (AA)
 Gil McRae, FL (AA)
 April Price, FL (GA)
 Jon Siemien, DC
 Steve Meyers, NMFS
 A.C. Carpenter, PRFC, Chair

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

John Clark, DE DFW

Staff

Vince O'Shea
 Robert Beal

Erika Robbins
 Chris Vonderweidt

Guests

David Perkins, USFWS
 Bill Sharp, FL FWC
 Karen Chytalo, NYSDEC
 Peter Himchak, NJ DFW
 Sandra Lary, US FWS

David Secor, UMCES
 Kari Fenske, UNCES
 Craig Shirey, DE F&W

The American Eel Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, August 14, 2007, and was called to order at 11:00 o'clock a.m. by Chairman A.C. Carpenter.

CALL TO ORDER

CHAIRMAN A.C. CARPENTER: I would like to call the American Eel Management Board meeting to order. I've got a couple of things. First, I would like to compliment the staff on their new meeting overview presentation that came with the packet this time, in addition to the agenda. I think it's a very good idea and I personally find it useful.

APPROVAL OF AGENDA

CHAIRMAN CARPENTER: Also, sitting next to me is the vice-chair, and it is my practice to have the vice-chair up here just in case you all forget who he is, and this way he remembers that he takes this over in just a little over a year. With that, you have an agenda before you. Are there any additions, deletions, or modifications to the agenda? Seeing none, we will consider the agenda approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN CARPENTER: Requesting approval of the proceedings from the January 2007 meeting – we have Eugene.

DR. EUGENE KRAY: Make a motion to approve the minutes.

CHAIRMAN CARPENTER: So moved; seconded by George LaPointe. Without objection, then the minutes will be approved.

PUBLIC COMMENT

Public comment, I covered that a moment ago; and under our new guidelines, there is no one signed up so we will move along. Update on the development of Draft Addendum II, and, Erika, I think that is going to be your presentation.

UPDATE ON DEVELOPMENT OF DRAFT ADDENDUM II

MS. ERIKA ROBBINS: Thank you, Mr. Carpenter. Both the AP and the Technical Committee were presented with the Draft Addendum II as developed by the Plan Development Team and were asked to comment on the options that were available. Those were brought to the Board at the previous winter meeting.

The TC and AP both had similar comments in the fact that they did not feel that they could provide adequate comment, not knowing what potential size limits would be – as far as what gear restrictions might create size limits or what length, weight, size limits might be in place. They asked the PDT to develop size limits. The PDT felt that they would need some kind of scientific basis to base those size limits on.

When the Stock Assessment Subcommittee was approached to look at the potential management triggers for instituting additional management actions, they were also asked to create a scenario or a description of how size limits might affect the potential reproductive capabilities of the American eel population.

The Stock Assessment Subcommittee has brought forward an idea to use, what they call a SLYME model, which will give them the ability to estimate how changes in the population that would be caused by size limits, maximum size limits would affect productivity. Laura Lee, unfortunately, is not available today to present, and I will give her presentation for her.

CHAIRMAN CARPENTER: Any questions for Erika? In that case, if you will proceed with her report.

STOCK ASSESSMENT SUBCOMMITTEE PROPOSAL

MS. ROBBINS: The SLYME model stands for the Sequential Life Table and Yield-Per-Recruit Model for American Eel. It was developed by David Cairns for DFO-Canada in 2003. It has been through their peer review process up there, and it's considered to be part of their tool box for managing American eel.

There are two versions of the model. One is discrete and one is stochastic. The discrete model says that fishing occurs at one constant time. The stochastic model can have fishing occur at various points in the eel's life history. The model was developed in 2003. Members of our Stock Assessment Subcommittee have been in contact with David Cairns as far as the usefulness of the model for judging population and characteristics.

It can be used to evaluate the effects of size limits on spawning, escapement and productivity. The model requires data on an age-length relationship, an age-weight relationship, length frequency distribution for both exploited and unexploited populations. Additional data can be used to produce more outcomes than we would necessarily need to provide scientific guidance on this proposed addendum.

The data that is listed up here is available, but currently the model uses data that is specific to Canadian eel populations and Canadian eel fisheries. The model produces outputs of population size, mortality, harvest and immigration which would occur between the glass eel arrival and egg deposition.

The Stock Assessment Subcommittee feels that to provide information that would be meaningful to this Board and this addendum, that they would need time to identify input data characteristics that are specific to U.S. Fisheries and U.S. eel populations; explore the sensitivity of the model to the different inputs; and to test for potential regional differences; for example, between the northeast and the southeast.

This model has been presented to the Technical Committee and they have had a chance to comment on it. John Clark, the TC Chair, is available and will present the TC's opinion of the model.

CHAIRMAN CARPENTER: Thank you. Any questions or comments? John, if you're ready with your presentation. Dr. Kray.

DR. KRAY: Over the years at this Board we've discussed the migration patterns of the eels. I know early on, when I was first involved with this Board, we were talking about how far up they migrate and the problem with some of the dams, et cetera, for the eels. Is that taken into consideration in this model?

CHAIRMAN CARPENTER: I don't know specifically, but given the fact that the Canadians have bigger dams and more of them than we do, I am sure that there is some accounting taking place for that. I am going to let John answer your question.

MR. JOHN CLARK: I am not as familiar with this model as, of course, the Stock Assessment Subcommittee, but at this point the model is mostly using some of the basic characteristics that Erika was talking about. It's more a life table where if we have the length characteristics and estimates of the egg production per size, how much more egg production we'll get by having a certain size limit, how many more eels will escape then.

So, at this point, I don't believe we've got information that specific as to where in a watershed the eel is captured, what effect that will have. But, if I recall from the Stock Assessment Subcommittee, the model can be fine tuned with more data as that data becomes available. As Erika mentioned, the Technical Committee was asked to comment on Addendum II. Of the proposals to provide more silver eel escapement, the Technical Committee recommends that a maximum size limit be used to increase the female silver eel escapement from the fishery.

As Erika just commented, the Technical Committee has looked at the Stock Assessment Subcommittee's recommendations about using SLYME as the method for estimating the increase in production resulting from a maximum size limit, and the Technical Committee endorses using SLYME for estimating these effects. So, those are how we feel we should proceed with Addendum II.

CHAIRMAN CARPENTER: John, this term of maximum length causes me concern, or maximum size. Is there any discussion on the part of the Technical Committee about a maximum girth as opposed to a maximum length? I can envision a culling technique and culling equipment that can very effectively and efficiently cull to that size. But a length, as they wrap around my arm, it is hard as hell to figure out how long that sucker is.

MR. CLARK: That's exactly how the length limit – as we foresee the length limit being enforced is through the length-girth relationship.

As you know, graders are currently used by eel dealers and eel potters to separate out bigger food eels from bait eels. So, initially we could foresee graders being used to separate out maximum size eels for setting them free.

Eventually, since most of the catches are coming from eel pots, we would like to see gear restrictions in future based on the girth of the eels to prevent large eels from getting into the pots in the first place. Of course, that's down the road on how we would want to enforce the maximum size limit, but it would seem that the easiest way would be to provide some sort of restrictor ring in the eel pot to prevent large eels from getting in.

CHAIRMAN CARPENTER: And, one last question I have is that the use of this SLYME model, it sounds to me like there is a fair amount of data that is going to be needed to be collected. How much of that data is already being collected and how far back do we have data that we, without an additional burden of collecting additional data – or how much additional data are we going to need on this?

MR. CLARK: I think as far as the length data, we probably have the most – and there are many datasets. Some of them are old datasets that were probably started in the seventies and ended in the seventies. There are some that have gone on continuously for long periods, and those are the ones that the Stock Assessment Subcommittee was most interested in getting.

There have been quite a few datasets that they have accumulated, I would say, over the past couple of years, and they are still looking for more data. More datasets are turning up. In particular, I know they're most interested in getting length, weight, and age data at this point so they can look at length frequencies.

They also want to get data from the whole range of the population along the Atlantic coast. So, this has been some they've been working real hard at getting. And as Erika pointed out, they're talking about tuning the SLYME model for Mid-Atlantic, South Atlantic, North Atlantic eel populations based on the different data that might be accumulated.

CHAIRMAN CARPENTER: Thank you. Any other questions or comments from any of the Board members? Are there any public

comments on this particular issue? I don't think that we need a motion to proceed to allow them to use the SLYME model. I think it's just a recognition and report from the Committee that that is the route that they intend to take, so I don't see any need for any further action on this particular item right now. Do we need a motion for that support, Bob?

MR. ROBERT BEAL: I think if the members of the Board are comfortable with going in that direction, then there is no need for a motion; but, if there is some concern or there is not consensus around the table, then a motion is probably in order.

CHAIRMAN CARPENTER: Well, judging on the lack of comment, I am seeing a lot of heads nodding that they either don't understand this well enough or don't object to it yet until after they see what it does. With that, I think we will just note that it has been presented to the Board; and without objection, the Technical Committee can explore this further. That carries us to the next agenda item, which is the update on the development of the MOA with the Great Lakes Fishery Commission. Erika, your name is on this one, too.

UPDATE ON THE DEVELOPMENT OF AN MOA WITH THE GREAT LAKES FISHERY COMMISSION

MS. ROBBINS: At the January meeting, our Board, the American Eel Board, approved moving forward with – I'm sorry, at the May meeting approved going forward with the MOA. In June the Great Lakes Fishery Commission followed with approval to develop an MOA with us. The senior fishery biologist, John Dettmers at the Great Lakes Fishery Commission, and I have been working together and have first identified a working group.

Jaime Geiger has offered one of his staff members, Heather Bell, who was the lead for the American Eel Status Review, offered her support as part of a working group. The working group would be John, Heather and myself. We're currently working to identify contacts and the important agencies. The Great Lakes Fishery Commission is working to identify contacts within the Canadian provinces and the Canadian government.

We have identified our contacts at the Fish and Wildlife Service. We will continue work with the National Marine Fisheries Service to identify our key contacts there. The Great Lakes Fishery Commission has notified me that they would like to present the development of the MOA with the State Department, and they will present that at some point before the end of the year to let them know what our two commissions are proceeding to do and planning to do. At this point we're also working on an outline of the MOA and hope to have something for you to look at by the annual meeting in October.

CHAIRMAN CARPENTER: When we met with our Canadian counterparts last spring, they are very interested in working with this Commission, and I think it's going to work well that the two of us can work together. I don't know that we will end up with exactly the same plan, but I think the two systems will work in a coordinated effort toward restoration of this species on at least a continental basis in North America. Are there any questions or comments? George Lapointe.

MR. GEORGE LAPOINTE: Thank you, Mr. Chairman. What would the nature be of the Great Lakes Commission's contact with the State Department? It strikes me, because when things go to the State Department and external affairs, it's country to country, and the states aren't the player at that table.

If the Great Lakes Fishery Commission goes to the State Department, we should be going at the same time just to make sure that the interests of the Atlantic coast states are represented in whatever those discussions are.

CHAIRMAN CARPENTER: Erika is making a note so we can react to that. Any other comments? Roy Miller.

MR. ROY MILLER: Thank you, Mr. Chairman. I'm wondering in regard to this SLYME model, John or Erika, what data requirements that model holds that might represent new work for the respective states? Are all the needs for this model already being met by the compliance measures that we're currently operating under or would new compliance measures be needed to supply the data needs for this particular model? Thank you.

CHAIRMAN CARPENTER: Roy, you asked your question more eloquently than I did, but let's see if we get a different answer.

MR. CLARK: The Stock Assessment Subcommittee, Roy, has done a little summary that I believe is on the table. It does list a lot of the assumptions that are part of the model. I know in the discussion at the Technical Committee there were some reservations among some of the members of the Technical Committee about some of these assumptions.

It's one of those situations where we think that proceeding ahead with the data that we have on hand, we can get a decent estimate, but as time goes on and more data becomes available, we should be able to get better estimates out of the model. At this point, from my understanding, the model does not require us to get more data than we're already getting. Some of the states that are not doing commercial sub-sampling have been asked in the past just to try to do some of that.

Obviously, the more data we can get from both fishery-dependent and independent sources, the better it will be. But, at this point I think the goal is just to proceed ahead with the model with the data that we have on hand and see how things go from there.

MS. ROBBINS: The FMP for American eel requests that, if available, states provide and collect commercial data, biological samples, length, weight, sex and age. Currently the states of New Jersey, Maryland, Delaware and Florida collect such data, and we are planning to include some datasets.

For example, New Jersey is only a year old; it's new. Florida and Delaware have fairly long datasets, at least five years' long. That's better than most. I think the question that will come up will be whether data from the Mid-Atlantic is applicable to the entire coast, because we do have that concentration right now. It actually looks like the data from Florida isn't quite so different from what we're seeing in the Mid-Atlantic, although there may be differences in selectivity of gear in each commercial fishery.

MR. MILLER: One quick followup. I believe you mentioned earlier, Erika, that the emphasis will be on a regional approach to eel management; northern states, Mid-Atlantic,

South Atlantic. It sounds to me like the data – I didn't write down all the states you just mentioned, but most of them, other than Florida, are Mid-Atlantic states. Is the New England region represented in terms of the input to the SLYME model?

MS. ROBBINS: Most data that is American-specific for commercial fisheries comes only from the Mid-Atlantic region with the exception of Florida. Ideally we would like to see if there are actual differences between the different regions, but if there is not data to support using the model on a regional scale, either we don't have the model – I'm sorry, either we don't have the data or the data does not show distinct enough differences between the regions. The model would be applied coastwide, but if data were available it would preferably be run on a regional basis.

MR. CLARK: I was just going to say, Roy, to add to that, that there are data bases from New England that are being used in the model that mostly are coming from fishery-independent surveys, but there also are some commercial data, if I'm not mistaken, Erika – I mean, they're not long-term, but they do have some datasets coming out of New England.

I believe from Maine they got some data about the commercial fishery. And as I said, there seemed to be quite a few fishery-independent datasets from New England that are going to be used in the model, also.

OTHER BUSINESS

CHAIRMAN CARPENTER: Thank you very much. Any other comments or questions about any of the items on the agenda, since we're moving backwards here?

MR. BEAL: Thank you, Mr. Chairman. Back to the MOA discussion, the original plan was to potentially have a draft MOA presented to the Policy Board at the annual meeting. Now that the State Department is going to be involved, that timeline is likely going to slip a little bit, and you're going to have to just see a draft or a skeleton outline of what is going on. I just can't envision involving the State Department will speed things up a bit. I just want to make sure everyone's expectations are that we may not have a final draft at the annual meeting.

ADJOURN

CHAIRMAN CARPENTER: You're such a doubter. Any other items? We stand adjourned.

(Whereupon, the meeting was adjourned at 11:25 o'clock a.m., August 14, 2007.)