

American Eel Advisory Panel
Meeting Summary
May 10, 2013
Hanover, MD

Attendance/Comments Provided By:

Advisory Panel: John Pedrick (PA), Jimmy Trossbach (MD), William Legg (MD), Mari-Beth DeLucia (TNC), Tim Brush (Normandeau Assoc), Martie Bouw (NC), Patricia Bryant (ME), Bob Evans (MD), Mitch Feigenbaum (PA), Rob Piascinski (DE), and Sam Veach (NJ)

ASMFC and State: Kate Taylor (ASMFC), Genny Nesslage (ASMFC), and Keith Whiteford (MD)

Public: Devon Jones (PB Enterprises) and Barry Kratchman (DE Valley Fish)

1) Election of Chair

- Martie Bouw was elected as Chair without opposition
- Mari-Beth DeLucia was elected as Vice-Chair without opposition

2) American Eel Benchmark Stock Assessment

- Dr. Nesslage presented the results of the stock assessment

3) ESA Update

American eel were petitioned for listing as threatened under the Endangered Species Act (ESA) in April 2010. USFWS published a positive 90 day finding on the petition in September 2011, stating that the petition may be warranted and a status review will be conducted. The organization that initially petitioned to list American eel filed a lawsuit in August 2012 against USFWS for failure to comply with the status of the ESA, which specifies a proposed rule based on the status review be published within one year of the receipt of the petition. A Settlement Agreement was approved by the Court in April 2013. The settlement requires USFWS to publish a 12-month finding by September 30, 2015.

4) Draft Addendum III Management Options and Public Comment Summary

- Kate Taylor presented an overview of the management options contained in Draft Addendum III and a summary of the public comment received.
- 13 public hearings were held in 12 states. Hearings were held in all states except Florida, Pennsylvania, Connecticut, and DC. New York held two hearings. Half of total attendance was at the Maine hearing (~100 people) and approximately 100 people attended the remainder of the hearings.
- Written comment was received by 30 individuals and 31 organizations

Habitat Recommendations

- The AP supports the habitat recommendations contained in the document. In addition, the AP strongly supports the development of a plan to implement these recommendations and a timeframe for completion. The AP strongly supports collaborating with ACFHP, USFWS, NMFS, and other agencies in completing these important goals.

Monitoring

- The AP supports any improvements in monitoring programs. Specifically the AP requests consideration for the Technical Committee (TC) to review the current monitoring program and develop specific recommendations to improve the programs. The AP understands these programs must be statistically rigorous while also maintaining cost effectiveness. The AP requests the TC seek guidance from the AP, where appropriate (e.g. in fisheries independent monitoring site selection).
- The AP supports monthly dealer and harvester reporting submission requirements.

Glass Eel Fishery

- The majority of the AP members were in favor of Option 1 (Status Quo). However, the AP recommends the following additional management options for the Board's consideration:
 - o The AP unanimously recommends that the Board consider that if a state is allowed to maintain a glass eel fishery, then that state must conduct a complete life cycle survey for eels. The implementation of a complete life cycle survey is one of the highest priority recommendations of the Stock Assessment Subcommittee and TC.
 - o The AP unanimously recommends that the Board consider requiring real time reporting for all glass eel fisheries for harvesters and dealers.
 - o The AP unanimously recommends the Board consider a ban on harvesting of glass eels that will not pass through a 1/8 inch non-stretchable mesh. The AP would also recommend a 1% tolerance by count to this requirement.
 - o The AP unanimously recommends that the Board consider prohibition on harvest directed on multiple life stages (i.e. states that have a glass eel fishery should prohibit fishing on any other life stages).
- A minority of the AP was in favor of increased conservation efforts such as a quota system. One member was in favor of Option 2 (Closure), Sub-Option 2 (Phased out closure).
- Additionally, the AP supported re-evaluation of any management changes after the next stock assessment (anticipated 2017).

Yellow Eel Fishery

- The AP unanimously supported Option 2 (Minimum Size).
 - o Specifically the AP supports an 8 inch minimum size restriction through 1/2 by 1/2 inch mesh requirements.
 - The use of 1/2 by 1/2 inch mesh will possibly result in a higher minimum than 8 inches, as the catch would likely be between 8 to 10 inches.
 - o Two members not in attendance provided comments, that if management action was needed, in support of Option 3 (Mesh Requirements), Sub-Option 2 (1/2 by 3/4 inch).
 - o The AP recommends that the Board consider allowing implementation of this regulation through the use of an escape panel for a specified time frame (AP recommends 3 years), after which time the gear must be phased out to meet mesh requirement.
 - o The AP also recommends that those states which have more conservative mesh requirements should be required to maintain them.
 - o The AP supports increased enforcement of existing mesh requirements

- The majority of AP was in opposition of the quota, with one member in favor (based on the base years 1990 – 2011).
- There was unanimous opposition to the two week fall closure.
- Additionally, the AP recommends that the Board re-consider limited entry and options to reduce latent effort. These actions may also promote more accurate harvest reporting.

Silver Eel Fishery

- The AP unanimously supported Option 2 (Gear Restrictions). However, the AP supported an exception for the state of New York to allow up to 6 weirs to fish in the Delaware River, with the licenses issued to those with a long term interest in the fishery.

Recreational Fishery

- The AP unanimously supported Option 2 (25 fish per day per angler bag limit), which includes passengers/crew on party/charter boats.
- The AP supports implementation of the same minimum size for both commercial and recreational fisheries in order to aide in enforcement efforts.