

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

**August 17, 2004
Radisson Hotel
Alexandria, Virginia**

ATTENDANCE

Board Members

Lew Flagg, Maine DMR
Sen. Dennis Damon, ME Leg. Appointee
Dennis Abbott, proxy for Rep. Blanchard (NH)
Ritchie White, New Hampshire Gov. Appointee
David Pierce, Massachusetts DMF
William Adler, Massachusetts Gov. Appointee
Mark Gibson, Rhode Island DEM
Jerry Carvalho, proxy for Rep. Naughton (RI)
Everett Petronio, Rhode Island Gov. Appointee
Eric Smith, Connecticut DEP
Lance Stewart, Connecticut Gov. Appointee
Gordon Colvin, New York DEC
Brian Culhane, proxy for Sen. Johnson (NY)
Pat Augustine, New York Gov. Appointee
Bruce Freeman, NJ DFG&W
Ed Goldman, proxy for Assemblyman Smith (NJ)
Tom Fote, New Jersey Gov. Appointee
Dick Snyder, proxy for Doug Austen, PA FBC

Eugene Kray, proxy for Rep. Schroeder (PA)
Roy Miller, proxy for Patrick Emory, DE DFW
Sen. Robert Venables (DE)
Howard King, Maryland DNR
Russel Dize, proxy for Sen. Colburn (MD)
Bruno Vasta, Maryland Gov. Appointee
A.C. Carpenter, PRFC
Jack Travelstead, **Chair**, Virginia MRC
Kelly Place, proxy for Sen. Chichester (VA)
Preston Pate, North Carolina DMF
John Frampton, South Carolina DNR
David Cupka, South Carolina Gov. Appointee
Spud Woodward, Georgia DNR
Gil Mcrae, Florida FWC
Kathy Barco, Florida Gov. Appointee
Tom Meyer, NMFS
Wilson Laney, USFWS

Ex-Officio Members

John Henry, AP Chair
Joseph Fessenden, ME DMR, LEC Rep

ASMFC Staff

Nancy Wallace
Lydia Munger
Robert Beal
Vince O'Shea

Guests

Barry Kratchman, DE Valley Fish
Gerald Balmert, MD DNR - Fisheries
Keith Whiteford, MD DNR – Fisheries
Steve Minkkinene, US FWS - MFRO
Tony Bogan, United Boatmen
Michael Doebley, RFA

Kim Damon-Randall, NMFS NERO
Kenny Keen, MD DNR
Steve Meyers, NOAA Fisheries
Anne Lange, NMFS State-Federal
Mel Bell, SC DNR - OFM

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

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MOTIONS

Move to proceed with the approval of the PID with the changes discussed today.

Motion made by Mr. R. White; seconded by Mr. Augustine. Motion withdrawn.

Motion to withhold adoption of the PID until November.

Motion made by Dr. Kray; seconded by Mr. Carpenter. Motion carries (15 in favor, 2 opposed, 0 abstentions, and 1 null vote).

Motion to approve the PDT membership.

Motion made by Mr. Cupka. Motion carries unanimously.

Motion to approve the Advisory Panel Nominations.

Motion made by Mr. Freeman; seconded by Mr. Augustine. Motion carries unanimously.

**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

**AMERICAN EEL MANAGEMENT
BOARD**

**Radisson Hotel
Alexandria, Virginia**

August 17, 2004

The American Eel Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Suite of the Radisson Hotel, Alexandria, Virginia, on Tuesday, August 17, 2004, and was called to order at 11:10 o'clock, a.m., by Chairman Jack Travelstead.

WELCOME & INTRODUCTIONS

CHAIRMAN JACK TRAVELSTEAD: Good morning. This is the American Eel Management Board. Everyone should have the agenda in front of them. There are a couple of changes I'd like to make to the agenda.

That is to add a new Item 3, public comment, and then renumber accordingly. Then under what would be Item 6, review approved nominations to the plan development team, add and the advisory panel. Are there any other additions to the agenda at this time? Seeing none, the agenda is approved.

BOARD CONSENT

Each of you were provided with a copy of the minutes from the May 26, 2004, board meeting. Are there any additions or corrections to those minutes? Seeing none, the minutes are approved.

Item 3 is public comment. In addition to the public comment we might take here, staff is going to be distributing a letter from Mr. Mike D'Amico that speaks to some of these recent issues. We want to make sure that you get a copy of that and have a chance to look at that.

Is there anyone in the audience at this time that wishes to make a public comment? Please raise your hand. Yes, sir, come right on up to the public microphone here and let us know who you are.

PUBLIC COMMENT

MR. BARRY KRATCHMAN: Good day, everyone. I'm Barry Kratchman from Delaware Valley Fish. I serve as the president and co-owner. Last meeting you heard from my partner, Mitchell Feigenbaum, who was nominated for the advisory panel and I think is going to be officially on board with that today.

I'd just like to say a couple very brief comments, that I did read the PID that was being circulated, and I fail to see some of the points that were mentioned in that PID. I did bring today specific catch numbers from my company that I'd be more than happy to circulate throughout the room.

Basically, what they show is sharp increases in the number of eels that are being caught in the last couple years with a lot less effort than has been in the last three or four years.

We can talk about the specific recommendations on the PID, but the one thing that I think we're all missing is if we have certain problems with certain fisheries, like in Ontario and those areas, we can also talk about enhancement.

We do see ample amounts of elvers being

caught in the Maritimes, as well as in the state of Maine, so I did, once again, want to offer our assistance to the technical committee because we really haven't been solicited from that committee.

I do think we can be of great assistance in developing perhaps a new PID, but in closing, just want to say that I think it's very premature to circulate this PID and to approve it.

CHAIRMAN TRAVELSTEAD: Thank you for your comments. I think it might be helpful, if you've not shared the numbers you mentioned with the state director from your state, that might be helpful, and it certainly will be of interest to the technical committee as well. Any other public comment? Yes, sir, Jim, come on up.

MR. JAMES FLETCHER: From 1970 to 1980 eels were near and dear to my heart, because I was fishing for them and selling elvers to Brussels. Through management that has completely disappeared.

But, my problem comes up in the management that I see proposed, that the Japanese are probably the world's leading experts in raising elvers and eels, both of our species and theirs.

And in all the science that I see, as I mentioned earlier in winter flounder, I do not see any information in the cyclical pattern of eels. I don't see anything in the cyclical pattern of winter flounders.

I mentioned the solar system, the North Atlantic oscillation. Until the scientists are asked to bring in the known cyclical things and the abundance cycles, managing isn't going to work.

There are a number of issues that basically are handled day to day that do not affect the long term but put a burden on the industry.

The other thing that has totally not been mentioned is the effects of chlorine, estrogen-like compounds and stuff like that that are coming into the waters where these elvers move into.

The last issue that I'd make is every rule that we make it's illegal to possess an eel below six inches, the wording should be it's illegal to possess a dead eel below that size, and thus allow the individual fishermen the option of trying to raise and get these animals larger for economic value.

Until that happens -- you know, my frustration is I quit over it, went into that. That's one of the reasons that you're forced to see me at every meeting, both of this and of the Mid-Atlantic Council.

I would ask you to consider some basic changes, ask your scientists where does this fit in the cyclical pattern, and change the wording it's illegal to possess a dead eel below a certain size. Thank you.

CHAIRMAN TRAVELSTEAD: Thank you, Jim. Any other public comment? Yes, sir, John.

MR. JOHN HENRY: All right, I just want to read a few things into the record, information that I've gathered. A lot of it comes from this group. The first bit of information is from Julie Weeder, and the subject is the ICES working group on eels.

I'm going to select a few things to read that came from this that highlight a few things I want to make clear. The first is this came from -- these are the conclusions and recommendations from the ICES working

group on eels that met in St. Andrews, New Brunswick, August 28th to September 1st, 2000.

In their discussions, they found that the possibility exists that oceanographic conditions may be affecting recruitment. Attention should also be given to resolving fish-passage problems at obstructions that are limiting access to production areas.

Consideration should be given to trapping and upstream transfer of eels and minimally the transfer of juveniles to under-populated habitat with free downstream access. A major decline in recruitment has occurred in the Upper St. Lawrence and Ontario region, but in other regions declines are not universal.

The decline in the St. Lawrence region is strongly paralleled by a steep decline since 1980 in the recruitment of the European eel to almost all of mainland Europe. Potential explanations include natural and anthropogenic as well as continental and oceanic causes.

Anthropogenic factors include habitat loss, hydro-electric dam passage and mortality contaminants, overfishing. Yellow and silver eel catches from the Lake Ontario/St. Lawrence River Ecosystem, as well as from the Gulf of St. Lawrence, have steadily declined by a factor of about three in the past decade.

In contrast, catches from Atlantic Nova Scotia and the Bay of Fundy have increased by a factor of three since the mid or late 1980s. Yellow and silver eel catches in the U.S. exhibit various trends, but no geographic pattern occurs there as opposed to what was observed in Canada.

It is recommended that fisheries managers

consider mitigation methods on a case-by-case basis. Any increased production above dams provided by upstream passage facilities or stocking may offset the mortality caused by turbines.

Trap and transport, this method provides an effective means of mitigating the effects of dams, particularly where there are consecutive dams in close proximity.

Transfers and stocking of juvenile eels to growing areas can be useful in increasing freshwater production and, by inference, spawner escapement and may be considered as an alternative or additional practice to reductions in fisheries.

Any increased production above dams provided by upstream passage facilities or stocking may offset the mortality caused by turbines.

The next bit of information is from Vic Vecchio. The subject was the American Eel Board meeting. Material he included from the ICES meeting or from research that was done where the ICES meeting drew their conclusions, and he supplied this material to the technical committee. I thought some of it was relevant to our discussion.

This material was taken from a study that was done in the Netherlands. I'll just read the abstract. Immigrating glass eels have been sampled in Den Helder, the Netherlands, for a number of years. The data from 1960 through 1996 were analyzed to detect trends over the years.

Special attention is paid to the analysis of potential artifacts caused by the sampling strategy. Mean length and numbers were positively correlated while the timing showed independent short-term fluctuation.

From 1987 onwards, numbers of glass eels were well below the overall average and they were significantly smaller. Since the minimum, in 1991 numbers and mean lengths are both increasing, though they are still below average.

It is tentatively concluded that these long-term changes are related to oceanic conditions which have caused the prolonged and ocean-wide recruitment failure in eels, with the exclusion of continental causes.

This study is 14 pages long. In the conclusion, the analyses presented in the paper do not reveal the cause of the observed recruitment failure -- they're talking about Europe -- but they do narrow the scope for potential explanations.

And what this paper did was compare the numbers at recruitment to the length of the body of the fish to see if there was a correlation. The analyses presented in the paper do not reveal the cause of the observed recruitment failure but they do narrow the scope.

The failures; toxicity from anthropogenic chemical contamination, anthropogenic habitat modifications, commercial fishing, and oceanic changes. The conclusion was that crossing the reported findings with the hypothesis, it soon becomes evident that oceanic changes are the most likely cause.

The other hypothesis take the reduction in spawning stock to be primary to the reduction in the numbers of recruits. As stated above, this would not explain or it even contradicts the observed reductions in length of the recruits.

What that means is the fish are coming in smaller. There is a reason for it. And there's less fish coming in, and they're

coming in smaller, something is happening in the ocean currents. As they approach land and the time increases, they've been in the Gulf Stream longer, and they're getting smaller as they go. This study shows that correlation.

This is where this ocean current thing comes from, why the fish aren't getting into the St. Lawrence Seaway Basin. Castonguay speculated that the decline through the 1980s of elver recruitment to Europe and to the Gulf of St. Lawrence was due to changes in oceanic conditions, specifically a more northerly position and the slower current speed of the Gulf Stream. Recruitment of American eels to rivers south of the Gulf of St. Lawrence appears unaffected.

CHAIRMAN TRAVELSTEAD:
John, let me suggest that you --

MR. HENRY: That's it. I just wanted to read that. I wanted to make that point.

CHAIRMAN TRAVELSTEAD:
Still, I think it would be important if members had copies of those document. If you could provide them to staff, staff can make copies.

MR. HENRY: Yes, a lot of this stuff is -- this stuff is all ASMFC stuff.

CHAIRMAN TRAVELSTEAD:
Okay, thank you. Any other public comment? All right, seeing none, before we get into Item 4, the draft public information document, I understand that Tom Meyer has an update on the review by the federal services on the ESA.

**UPDATE ON THE RESPONSE OF THE
FEDERAL AGENCIES TO THE
LETTER SENT BY THE COMMISSION**

**REGARDING A COASTWIDE
EVALUATION OF EEL STOCKS**

MR. TOM MEYER: Thank you, Mr. Chairman. At our last meeting on March 9th this board recommended to the Commission that the Fish and Wildlife Service and NMFS consider American eel in Lake Ontario/St. Lawrence/Lake Champagne and Richelieu as a candidate for listing as a distinct population segment under ESA, and also conduct and evaluation of the entire Atlantic Coast American eel population.

NMFS received a letter from John Nelson, Chair, ASMFC, on May 27th, making this request. Pat Kurkul, our Northeast Regional Administrator; and Marvin Moriarty, Region V Regional Director for Fish and wildlife Service, responded in a letter to John Nelson on August 2nd that the Services were reviewing the request.

On August 13th, which was last Friday, the Services held a meeting on the request and formed a working group to work out details on how to coordinate and communicate as status reviews are conducted on American eel and Atlantic sturgeon.

This group will make recommendations to Pat Kurkul and Marvin Moriarity by the end of September. They're also going to be looking at which Services would have the lead for these species. We are moving slowly, but we want to make sure that we do coordinate well with our fellow Services and with ASMFC on this.

CHAIRMAN TRAVELSTEAD: Thank you very much, Tom. Gordon, comment or a question, and then Bruce.

MR. GORDON C. COLVIN: Thanks for that report, Tom. I'm glad to

hear that the Services have got the ball rolling on this. Do we have copies, may I ask the chairman, of the August 2nd letter that came back to the Chairman of the Commission? And if not, can we get copies of that letter for the board members while we're here this week?

CHAIRMAN TRAVELSTEAD: Staff will track that down and distribute copies of it. Bruce.

MR. BRUCE FREEMAN: Thank you, Mr. Chairman. Tom, did you mention when that review would possibly be concluded?

MR. MEYER: Well, I think the working group will determine who is going to do what, and then we'll start the review right after that, I believe.

MR. FREEMAN: Is it anticipated that would be completed within a year? Is there any time? The reason I'm asking, it would seem to me, Mr. Chairman, that it may be reasonable to receive that report before we go out with a public information document asking the public what they believe should be the population and the future of the fishery.

I'm just wondering sequentially if it would be wiser to receive the report and then have sufficient information to ask more specific questions of the public, and, therefore, I'm trying to get an idea for when.

If it's going to take several years to do, that's on issue. If it will be done within six or nine months or a year, perhaps that's another action we could take. I'm just trying to get some feel for it.

CHAIRMAN TRAVELSTEAD: Well, do you want to respond, Tom?

MR. MEYER: Just that the working committee will take a look at that, and they realize that we want to move on this. Hopefully we can get it done pretty soon, but there's no time frame right now on that.

CHAIRMAN TRAVELSTEAD: Okay, just please keep us up to date at each of our board meetings. We'd appreciate it. Bruce, you've sort of segued into the draft PID.

Let's go ahead and move into that unless anyone has additional questions of Tom at this point. Seeing none, Lydia is going to take us through the draft document and see where you want to go from here.

**REVIEW DRAFT PUBLIC
INFORMATION DOCUMENT FOR
PUBLIC COMMENT/DISCUSSION OF
POTENTIAL MANAGEMENT
CHANGES FOR AMERICAN EEL**

MS. LYDIA MUNGER: Thank you, Mr. Chairman. The draft public information document was actually mailed to the commissioners in a separate mailing from the one with the CD-Rom. I have extra copies here; and if you need one, please raise your hand and they will be coming around the table.

I have prepared a presentation that will detail the background and specific public comment issues that appear in this draft PID as developed by the plan development team. The conclusion of this presentation also summarizes the options that are currently available to the board in terms of potential actions the board can take at this point.

In May 2004 the board tasked the plan development team with development of a public information document to address the

recommendations of the American Eel Technical Committee.

This is all pending the completion of the plan development team, and I'll get into the rest of those nominations at the end of this presentation, but the PDT nominations were all received, making a full plan development team.

Then the plan development team began work on the public information document. The purpose of the PID, as listed in the document, is to inform the public of intent of the ASMFC to gather information concerning the American eel fishery and to provide an opportunity for the public to identify major issues and alternatives for eel management.

Unlike many PIDs, this doesn't specify that management action is currently pending because the board hasn't decided where they want to go with that at this point.

The background sections of the draft PID discuss general information about the American eel and eel fisheries and include the goals and objectives of the fishery management plan.

There is a discussion reviewing the available data on the American eel fishery. To this end, based on some comments received from PDT members, the PDT wishes to include diagrams presented to the technical committee by Dr. John Casselman from Canada.

The PDT is actually awaiting permission to use these figures in the document, but I have them here in a PowerPoint for the board to review at this time. The background sections discuss the subject and results of the March technical committee meeting and give a brief overview of the commercial and

recreational fisheries for American eel as well as a paragraph on status of the stocks.

This is the first of the figures that the PDT wishes to include in the public information document. This figure was actually presented in the declaration made by the individuals who attended the American Eel Symposium at the 2003 Annual Meeting of the American Fishery Society in Quebec City, Canada.

This figure details the long-term recruitment for the American eel to the Upper St. Lawrence River and Lake Ontario, and compares this trend to the trends observed with the European and Japanese eels.

These figures were presented to the board by Pat Geer, the chairman of the technical committee, who unfortunately couldn't join us today, but these were the figures that he found relevant in describing the current situation with American eel pulled from the presentation given to the technical committee by Dr. Casselman.

This figure presents fisheries-independent data from the Moses-Saunders Hydro Electric Dam on the St. Lawrence River and is a good representation of suspected trends in eel recruitment along the entire Atlantic Coast of the U.S.

I'll keep mentioning this throughout the presentation, but in the absence of a Commission peer-reviewed stock assessment, these are some of the best available data.

In this figure, Dr. Casselman performed a trend analysis of U.S. landings and grouped states according to regions. Again, Pat Geer showed the board this graph at the last meeting.

Dr. Casselman commented, when he gave this slide, that the Atlantic states landings have shown declines as well, with only the Mid-Atlantic continuing to show some viability as a fishery.

These figures were used by Dr. Casselman to show that similar trends are being observed along the entire U.S. coast, though in this depiction the Central U.S. seems to exhibit the most resilient numbers.

So moving on to specific issues as presented in the public information document, these issues were taken from the recommendations of the technical committee. That's what the plan development team understood the board's direction to be.

So, Issue 1 deals with the recreational possession limit. This limit is currently placed at 50 eels per person per day for personal use as bait in other fisheries. The technical committee recommendation for this issue is to reduce this recreational possession limit from 50 to 25 eels per person per day.

If this change were implemented, it could be done through an addendum to the fishery management plan. The public information document under each issue presents questions that are intended to guide public comment on the issues.

The two questions presented for Issue 1 are does the public believe that the recreational possession limit for American eels should be changed or should remain the same? If the recreational possession limit were changed, what does the public believe the limit should be changed to?

Issue Number 2 deals with the technical committee recommendations to implement a

closure of all directed silver eel fisheries. This change would require an amendment to the FMP for implementation.

The question here intended to guide public comment on this issue is does the public believe that all directed silver eel fisheries should be closed. Again, this is just a brief summary. The issues are fleshed out in a little bit better detail within the document, but if you have questions, please feel free to ask.

Issue Number 3 deals with the technical committee recommendations to implement seasonal closures for all eel life stages. This change would need to be implemented through an amendment to the fishery management plan.

The technical committee worked with these seasonal closures to an extent and specified that perhaps the most effective closures would be for 90 days; and as that went by the technical committee recommendations, these seasonal closures would be timed to correspond with the traditional period of silver eel out migration, which takes place in the fall.

Actually, it can begin as early as August and run through January, depending on location along the coast. This closure would -- the thought behind this is that this closure would ultimately protect all life stages of eels during what is traditionally a peak period of effort.

The question designed to guide public comment on this issue is does the public believe that a seasonal closure for all life stages should be implemented?

Issue 4 deals with improved collection of both catch and effort data for the recreational and commercial fisheries. This

issue could be implemented through an addendum to the fishery management plan.

The technical committee recommendation on this issue dealt with a specific commercial and recreational harvester and dealer permit or license for each state. This permit or license would be associated with a mandatory reporting requirement.

In addition to improving the available data on catch and effort for the eel fishery, this system also has the potential to provide detailed information on what portion of the total catch of American eel is used for food versus the percentage of the catch that is used for bait.

That was a technical committee concern that was brought before the board, and the board requested that concern be wrapped into this issue.

The questions designed to guide public comment on this issue are as follows: Does the public believe that collection of more accurate catch and effort data is necessary? And if so, does the public believe that a permit is an appropriate way to collect these data?

Issue 5 is the last issue for public comment issues, and it deals with habitat concerns as described by the technical committee. The plan development team is aware that there are other habitat concerns affecting American eel, but since the board direction was to create the PID in the context of the technical committee recommendations, this is how it's been written, and, of course, it's open to change.

Habitat concerns could be detailed in an addendum or an amendment. The technical committee described concerns relating to upstream and downstream eel passage,

including monitoring of effectiveness of passage measures put in place.

Included in this issue is an evaluation of different downstream passage methods such as bypass facilities and suspension of operation.

The questions designed to guide public comments on this issue are what does the public view as the primary habitat issues facing the American eel stock? Does the public have any recommendations for addressing the habitat issues facing the American eel stock?

Where does this leave the board? Well, recognizing that this is a draft PID, once the PID was approved, there are a number of steps that the board could potentially take. Keeping in mind that the benchmark stock assessment is scheduled to be completed in 2005, the board may do one of a few things.

The board may hold on taking any action until the stock assessment is complete, waiting to see the results of the assessment before deciding which way to go. The board may decide to move forward with an addendum to address those issues that can be addressed through an addendum, and I believe there were two.

This process is a little bit quicker than the amendment process. It's not quite as intensive. The board could also elect to begin development of an amendment to address one or all of the issues in the draft PID, as well as additional issues as the board sees fit.

Of course, if action were to be pursued by the management board at this time, the board may wish to make modifications to the PID before it is approved.

CHAIRMAN TRAVELSTEAD: Lydia, identify real quickly again those measures that can be done by addendum versus amendment.

MS. MUNGER: The recreational possession limit change is one that could be made through an addendum. The changes to the permitting or licensing system to collect more detailed catch and effort data could also be covered through an addendum. The rest of the changes or issues presented here would need to be addressed through an amendment.

CHAIRMAN TRAVELSTEAD: Okay, thank you. Questions or comments on the addendum? Mr. Adler.

MR. WILLIAM A. ADLER: Thank you, Mr. Chairman. I have some serious concerns about this. I didn't see in this copy that I have much reference to things that John Henry had mentioned, comments on the oceanic and the non-fishing related causes or aspects in the eel story.

My, of course, interest also is that predation -- I don't know if that's covered well enough. But if I were to read this PID as it is written, my first comments as a public would say, oh, harvest pressure, stock is down, possible things to do to the people fishing for them, recreational or commercial.

Well, that must be the culprit here and, yes, in the end there is a little section over here about habitat, but that's in most of the plans anyway about concerns about erosion of the habitat, when the habitat or natural factors may be the major thing and the fishing pressure is not the major thing at all.

I understand the Atlantic State's deals with the fishing pressure, but taking out to the

public a PID or a proposal that basically uses harvest pressures, stock is down, well, I know the answer right here.

Do you think the fishery should be closed? Absolutely, based on what I read here. I just feel uncomfortable not putting the whole story into something for the public to see all the sides of it. Thank you.

CHAIRMAN TRAVELSTEAD:
Thank you. Tom.

MR. THOMAS FOTE: When I look at the 25 possession limit or the 50 possession limit, unless you're basically talking about a possession limit for somebody catching eels that would take them home to eat or do something like that, that makes sense to me.

But when you talk about what we see a majority of, of people buying eels to use for bait; and instead of making one trip in a day, they get enough for three days or something like that, it doesn't make any sense because you're not putting any restriction on what's being caught.

The quota is being caught by some commercial fishermen basically putting them in a box to hold the eels until somebody comes and buys them. So, whether you buy them 25 at a time or 50 at a time, what difference does it make?

That's why I don't see the possession limit when you're purchasing eels, and something needs to be done for that. It's different if you're going out and catching them to eat or where you're basically catching them for your own harvest and things like that.

But when you purchase them from a dealer, I don't know how this is going to do anything to basically save the stock. It just

adds more confusion and basically requires people driving three or four times in a row.

I mean, most of the guys I know buy 100 at a time or 200 at a time, store them and then use them. I mean, that's not going to make any difference in the catch figures by allowing people to do that.

CHAIRMAN TRAVELSTEAD:
Okay, we'll hear from you and then several others who had their hand up.

MR. MICHAEL DOEBLEY: Thank you, Mr. Chairman, Michael Doble, Recreational Fishing Alliance. Similar to Mr. Fote's comments, I'm looking at this one sentence in here, maybe it could be clarified and maybe make some more options, on Page 5 under Issue 1 where it says recreational anglers may possess no more than 50 eels per person, including crew members, involved in party/charter for-hire employment for bait purposes during fishing.

So, as Mr. Fote pointed out, and I'm one of those people, I'll go out and buy 200 eels in about a month here, and it will be something to tap into right through Christmas. I store them in the barrel.

And they're also being used by my other family members. I personally know charter boat captains who get a tremendous discount. We'll buy several hundred eels at the beginning of the season and we'll store them in a barrel.

They don't take them all out with them on every trip every time they have a fare with them, but it is a big price savings to them. It guarantees that they have a steady supply throughout the season. Sometimes, you know, there is a regional variability.

So if there could be a way to incorporate an option that either makes an exemption such as saying, okay, while you're fishing, you can only have 50 eels in your possession, you know, it makes it clear that perhaps I have a bait barrel.

And if they're back at the marina or, you know, hanging off the dock somewhere, it's exempted, because, again as Tom pointed out, you know, it's how many we have in our possession at a time if you're using them for bait purposes.

I just don't see how that's going to have an impact on the resource. We're obviously concerned about the resource. We'll do our part to help rebuild it if it becomes necessary, but really let's take a look at how we can work with that bait possession limit. Thank you.

CHAIRMAN TRAVELSTEAD:
Thanks, Mike. Ritchie.

MR. G. RITCHIE WHITE: Thank you, Mr. Chairman. Looking at the options of how we proceed from here, one of them was to wait for the 2005 stock assessment. What would that mean in terms of us taking a step? In other words, when do we get the completed information from the 2005 stock assessment?

CHAIRMAN TRAVELSTEAD:
When will the information be available from the 2005 stock assessment?

MS. MUNGER: That's sort of a question for the board at this point. The stock assessment is due to be completed in 2005. I have nominations or I have requests for nominations to the stock assessment subcommittee and such to cover later in this meeting.

The board hasn't yet chosen a peer review process or talked about terms of reference or anything because we haven't had enough people on that stock assessment subcommittee to get things started, so that sort of remains to be seen.

CHAIRMAN TRAVELSTEAD:
Ritchie, follow up.

MR. WHITE: A follow up, so I take from that that if we chose that option, then we wouldn't be doing anything until 2006. Would that be a fair assumption?

MS. MUNGER: That is a fair assumption.

CHAIRMAN TRAVELSTEAD:
Gene.

DR. EUGENE KRAY: Mr. Chairman, my topics were covered by Mr. Fote and Mr. Doebley.

CHAIRMAN TRAVELSTEAD:
Okay, thank you. Gerry.

MR. GERALD M. CARVALHO: Thank you, Mr. Chairman. Under Issue 4, the technical committee recommends the implementation of a specific commercial and recreational eel harvesters permit/license for each state with each license requiring reporting of catch and effort.

Permit/license should be required for all eel harvesters, including those who harvest eels for personal use and for use as bait.

I don't know if we're going to get into recreational licenses, whether that's going to help the plan or inhibit development of a plan. I would recommend not including a recreational eel harvester's permit or license

in the PID.

CHAIRMAN TRAVELSTEAD: Okay, A.C., then Gordon.

MR. A.C. CARPENTER: Thank you, Mr. Chairman. In the absence of information, I think it's going to be difficult to do a stock assessment, to start with.

I'm not sure that any of the actions that are called for here can be justified based on the information that we've got right now, particularly the change in the recreational harvest limit from 50 to 25.

Is there any data that suggests that even the 50 had any impact at all when this was put in with Amendment 1? I do think that Issue Number 4, the catch and effort that can be done by addendum is probably the course of action that I think we need to follow.

We can't, until we get better information, even pretend that we're going to do a stock assessment if the only information we've got is as limited as everybody thinks it is.

I would suggest that we concentrate on Item Number 4, carrying that to public hearing, adopting that through an addendum process, and begin collecting the information as soon as possible.

CHAIRMAN TRAVELSTEAD: Let me just back up a little bit because, you know, the document we're looking at is a public information document that is intended to gather public comment on a number of issues so that we can determine whether or not we have a problem in particular areas and what the public is thinking about it.

We're still a ways down the road from an addendum or an amendment, so we're not

quite ready I think to start eliminating certain items in favor of others. I would suggest we want a document that's fairly general that lists a number of issues for which we can assess the public's feelings. Gordon and then Gene and then Tom.

MR. COLVIN: Thank you, Mr. Chairman. Your comments constituted part of what I wanted to address. We are at a point in our process where we are scoping a document, the purpose of which is to secure public comments on issues.

Yet, to some degree some of our discussion this morning has sounded more like a discussion about the adoption of an addendum or an amendment rather than the adoption of a PID.

I think the purpose here is to get something out to the public to facilitate a discussion and input to the board, so that it can make decisions whether it wants to adopt one or more addenda or one or more amendments to this plan in the future.

I think the issues that stimulated the board to initiate this were directly related to kind of the parallel concerns regarding the impending collapse of the St. Lawrence/Great Lakes stock and the continuing problems of the European stock.

In fact, I got e-mail on that last night suggesting there's more intensifying discussion about the status of the European stock and what the implications of that might be for the various components of the eel population on the East Coast.

We felt, and I think that we were correct, and we need to continue to act from the perspective that the status of some of the eel stocks is such that the issues are urgent and require us to move forward.

I'm a little concerned that some of the discussion I've heard this morning seems to be coming from the direction of, oh, let's put this off. I would strongly encourage the board not go to in that direction.

We've engaged our process. We started the wheels turning. Let's please keep moving forward. We are not coming to any decisions in the adoption of this PID with respect to what we ought to do, only to establish the scope of what can be on the table for public review and discussion.

I suspect that many of the points that we've heard here today, the influence of oceanic conditions, hydro-electric impacts, which I think personally are extremely important for consideration and discussion, the issues that came forward on the bait suggestions, will all be part of the public record of comment once we go to public hearings, but let's make that happen. Let's enable that to happen.

The other point I wanted to make, I do think -- and I took Lydia's comments that the expectation is that the PID will be enhanced by the inclusion of more specific information and figures from the Casselman work.

I think that will be a big help. I think that work is kind of what summarizes what kicked us off into this course of action, and I think it's important that it be emphasized. I know that at its last meeting the board decided not to specifically include a recommended action on regulation of the bait eel fishery. Understood.

I'm disappointed by that decision but that was the board's decision. I do think, however, that if we go out with a PID for public comment on what ought to be done,

that perhaps we could include some more general category or issue as inviting the public to comment in a general sense, are there other issues or concerns that would enable people to bring forward any other points of view, including points of view with respect to the bait fishery or any other specific environmental issues or ocean conditions and how they may be affecting recruitment or any other relevant factors. I would not want to see the scope of the PID, the side boards that we set on it, restrict what public input we get. Thank you.

CHAIRMAN TRAVELSTEAD:
Thank you. Gene.

DR. KRAY: Yes, thank you, Mr. Chairman. Mr. Carvalho and Mr. Colvin both touched upon this issue of catch and effort as it relates to eels as bait. I have a question. When the technical committee recommends implementation of a specific commercial and recreational eel harvest or permit license, let me ask the question, if I'm out and I harvest eels as a sideline, and I sell my eels to the local bait and tackle shops, am I commercial or am I recreational?

CHAIRMAN TRAVELSTEAD: In Virginia you would be commercial. It may vary from state to state, but I know in Virginia you would be commercial. Tom, you had a comment.

MR. FOTE: You are required in New Jersey to have a bait permit which means if you're going to sell, you need a permit to do that. My problem was I look at a document that would go out that, it should have realistic expectations of what we can do that will actually enhance the stock.

That's what I'm trying to do is look at some of the items here. To require everybody that

would basically harvest an eel for their own consumption to have a permit, first of all, the states can't monitor that, don't have the money.

We were talking about this the other day. How would you basically gather the information if everybody had a permit? When we send the permits in to record what data we would have, it wouldn't be done.

I can see it for the bait industry. I can see if you're harvesting for this and that. But for every recreational person that might want to take an eel home or something like that, it doesn't make any sense.

I'm trying to be realistic in the document that we're sending out because what happens is you put something like this, the whole focus by the writers, by everybody else, comes on the points that basically distracts from the other points. What I'm trying to do is not put the points that will distract, that we'll never use. That's what I was concentrating on.

CHAIRMAN TRAVELSTEAD:
Lew.

MR. LEWIS FLAGG: Thank you, Mr. Chairman. Looking back a little bit on the history of the development of this FMP, my recollection is that there was a lot of discussion early on about the paucity of data relative to landings, commercial landings or recreational landings of American eel, and that was one of the primary focuses of the original plan was to try to improve our data collection capabilities in terms of getting better and more accurate data on American eel.

I think the issue relative to potentially mandatory licensing and reporting is really a very necessary thing. I know some states

have fairly good data collections systems, and they're able to get good landings data, but many of the states have not been able to do that.

That's one of the major things that we've struggled with with this plan for a long time now, and I think we really need to get on with improving the data collection and the ability to have good data for purposes of effective management. Thank you.

CHAIRMAN TRAVELSTEAD:
Thank you. Lance.

DR. LANCE STEWART: I just have input to the PID or suggestions for input to the PID relative to the ten years that this FMP has been evolving, and to look at the impact we've had as a Commission in changing a lot of the laws to date.

As I look back, the primary concern was the silver eel fishery and expansion of export and the tremendous economic impact that had all along the coast. As things progressed, those fisheries were essentially denied.

In my mind, I think we lost an opportunity to really assess our fisheries from an entirely different standpoint because it's a different fish. It's an entirely different – it's not an anadromous fish.

We have a protectionary sense of dealing with new recruits into a stock, but this fish recruits erratically and in mass numbers. A lot of our own experts attested to that. McCleave from Maine is probably one of the longest-standing experts, and I'm surprised his data isn't more relied upon in analysis of this fishery.

One of the things we did, as I can remember, is essentially disallow the glass eel fishery in

many states, and so we lost that opportunity to learn. The Japanese experience is especially important for us to look at thoroughly.

The reason that glass eel fishery was established in Europe and North America was because they lost their entire stock of *Anguilla japonica*; and ironically it came back, the markets disappeared.

Why did it come back? What have they done? Have they done any conservation methodology to re-enhance the stocks? We should look at that, rather than looking at this hysteria of our Canadian neighbors.

We have healthy Mid-Atlantic stocks. I'm looking at one of the habitat issues here. I think we've missed the boat entirely. Power plants really do have a physical impact in eels, but eels, during the dam construction stages of the 1900s, thrived very well.

They got over the dams. It would be helpful for us to put eel passageways in, but I think one of our greatest problems in many fisheries is chemical contamination of our estuarine input areas where a lot of these fish that are dependent on coming through that olfactory, sensory zone. We've got to look at chlorines and chloramine compounds and the effects on those migrations. Enough.

CHAIRMAN TRAVELSTEAD:
Other comments? Yes, sir.

MR. RICHARD SNYDER: Jack, a few years ago, when we started the FMP, Pennsylvania, we usually take a conservative approach when someone signals there is a problem with the fishery, so we implemented the six-inch limit or the minimum size limit, and we outlawed sale of eels taken in pots in the few weirs that we

had.

I tend to agree with Gordon and the previous speaker on some more balance in the PID in terms of the habitat issues. I'm really nervous about our credibility when we start throwing out proposed creel limits at least to get public thought without some data to back it up.

John brought out some points today that I would even want to ponder about the effect - - and this goes on Lance's comments about estrogen and some of the other contaminants, so I'd like to go forward with the PID.

We owe it to the species and the fishery, but I think there needs to be a lot more balance. In Pennsylvania you can harvest eels for food or for personal use.

If you want them for bait and they're six to eight inches long, you've got to use a seine or a small pot. If you want them eight inches or larger, you've got to use hook and line.

I hate to put any more restrictions on our anglers because we're starting to push our anglers to the point where fishing isn't fun because there are too many regulations. I'd like to see some more balance but not always penalize the direct user. I'd like to see some more emphasis on the habitat.

CHAIRMAN TRAVELSTEAD:
Okay, any other comments? John.

MR. HENRY: I'd like to see us use our own data. I'm very much against our reliance upon Casselman's data, which shows *A. rostrata* in a steep decline, which it's not. That is at the Moses-Saunders Dam.

And there's other data, a reflection of our data. The first graph looks very nice. It represents 2 percent of our catch. The last graph, also very nice, has lots of points to it. It represents 20 percent of the catch.

The graph in the middle, which isn't quite so interesting because it's kind of flat, is 81.3 percent of our catch, which is happening in the Mid-Atlantic states, and it's pretty flat. It's not as interesting. It doesn't represent steep declines.

I'd like to see us come up with our own graph based on our own data that we have. We've got it; I put it together. It doesn't look anywhere near as bad as this stuff, and I'd like to see us supplying information that represents what we've got going here in the United States, not 4,000 miles from the Sargasso Sea, at the extreme end of the eels' range, at the extreme end of the eels' range, as far away as you could find them.

CHAIRMAN TRAVELSTEAD:
Bruce and then Kelly and then Jim.

MR. BRUCE FREEMAN: Thank you. The question I would have relative to the presentation of information to the public, so they can indicate what their position would be or what their desires would be, when we began this, we were very much concerned because of the information provided particularly in the Gulf of the Lawrence and the Great Lakes, but relative to our own stock, each state is required to do monitoring of the elvers, at least in one stream.

Has that information shown any similar trend or is that relatively the same as it has been? Where does that show a change if any?

Secondly, since we're talking about such a

large geographical range for this species, and as indicated on several occasions a decline in Europe, what are European countries doing? Do we know? And should that be part of our discussion?

CHAIRMAN TRAVELSTEAD:
Who are you directing those questions to?

MR. FREEMAN: I thought you'd be a good one to answer them. They're just somewhat rhetorical, but I think it's important that information, if its available, be somehow put into the document.

Again, we're being asked to take action, and I think certainly if action is necessary, we're prepared to take that, but I think we need to look at what we have and particularly the monitoring we've done from the East Coast standpoint.

I just, again, what we've seen in our state really hasn't changed much. I mean, there are fluctuations from year to year. You expect that. But, there is really no downward trend or upward trend, and I'm just wondering if that's true in other states. It would seem to me that would certainly be a piece of information that should be available.

CHAIRMAN TRAVELSTEAD: I agree. I haven't heard anyone say let's not move forward with the PID, but I have heard a number of comments for suggested additions to the document.

I'm just wondering how much time staff might need to make all of these various additions and whether or not that would lead us to not take action today or not, so I would like some comments along those lines. Kelly, you were next on the list.

MR. KELLY PLACE: Yes, to

Lance and Dick's point with regard to chemicals in the water and habitat in general, I think that this PID should probably concentrate more on those factors than your normal PID.

And as far as Lance's point, I think beyond just normal anthropogenic introductions of any number of chemicals into the water, I think that the indirect chemical impacts caused by changes in spatial distribution of weather, the flora, the fauna, and other mechanisms for chemical change, like over sedimentation and any number of water diversionary problems, I think those are going to probably end up having more significance to our only catadromid than maybe has been previously considered.

I wish I had this one document put out by the Royal Society of Britain that I read last year, but I think there's a pretty big volume of various data on the decline of the North American eel, oddly enough done from Europe. I'll send those to staff. I think some of these documents should be considered as far as some of the theses they put forward. Thanks.

CHAIRMAN TRAVELSTEAD:
Thank you. Jim Fletcher, then A.C. and then we'll go to you, sir.

MR. FLETCHER: It's a pleasure to finally hear somebody talking about estrogen and estrogenic compounds. It seems that the British did some studies in 1987. My concern is that staff has not actually put in and named the chemicals.

And also it's a pleasure to hear people talk about oceanographic conditions. The British have measured the North Atlantic oscillation since the 1300s, and staff apparently is not aware of that.

Sea water temperature changes have been

measured by and recorded by the British admirals since the 1500s, and apparently it's not an issue. My point being, there is a historical record. NOAA's predecessor has been in existence since 1870-1880.

None of the fluctuations in population recorded by surveys and stuff like that is being done. I'm reminded of the gentleman said he didn't have time to look at the documents that came in at the last winter flounder.

We go forward in such a rush, that we're not looking at it, the new information concerning the estrogen. We talk about habitat. We don't want to talk about the chemicals that are affecting the habitat.

Then there is an excellent document by EPA of water quality along the whole coast of the United States that apparently isn't even considered, and yet we're coming in here and we're going to talk about limiting the people that are using the resource, the person that is down here, we want to put an extra burden on permits or we want to put an extra burden on this, that or the other.

My frustration comes out that the information that should be in this document pointing to the true cause of the problem, if there is a problem, isn't even in it. It's a disservice to continue to go along with the same way that it was done last stock.

Let's say we were in striped bass or wherever the original plan, and these are basically rubber stamps going along with no outside of the box, no inclusion of different ideas.

Basically all you've got to do is take what you have here going out to the board, erase the name off of it, and you can put it on striped bass. You can put it on anything you

want and just go back.

The plans and the public information documents aren't improving. We're just changing the name and coming back out. As I said, I am encouraged to see estrogen in it. I am encouraged to see the mention of oceanic conditions.

But get down on what we know on the chemicals that are in the water, the heart medications, the medications that are most taken by the public. Bring a list of eight. There's x number of tons of this brought in. There's x number of tons of that. And the medications actually move into two or three tons per river system. Thank you.

CHAIRMAN TRAVELSTEAD:
Thank you, Jim. A.C.

MR. COLVIN: Could I just follow up to that?

CHAIRMAN TRAVELSTEAD:
Gordon, yes, sure.

MR. COLVIN: Just a thought, Mr. Chairman -- and I want to suggest it to Jim -- the same issue keeps coming up at board meeting after board meeting. Tomorrow morning, for much of the morning, our Habitat Committee is meeting.

It seems to me that a more efficient way of addressing issues that relate to the effects of certain alleged chemical contaminants or influences on fish health might best be directed generically to the Habitat Committee rather than trying to have each board separately address the issue.

It would be a lot more efficient. We would probably make a lot more headway on it. I think we have on some other habitat issues. My suggestion to Jim and my suggestion to

all of us is that perhaps we consider asking the Habitat Committee to look into the issues that repeatedly come up on issues of endocrine disrupters, disinfectants, chlorines and related compounds, pesticides, to the Habitat Committee in the context of water quality and contaminant recommendations to the management process generically.

We may need to co-task the Management and Science Committee to work with them on it. I wouldn't think that would be inappropriate. I think we're spinning our wheels to keep addressing this species by species and keep arguing about it species by species, a waste of everybody's time, including Jim's.

CHAIRMAN TRAVELSTEAD:
Thank you, Gordon. I think it's a good suggestion, and I for one will say something to the habitat chair to see if they can't tackle those issues. Back to you, A.C.

MR. CARPENTER: Mr. Chairman, Issue Number 2 and Issue Number 3 on this document, since we seem to be moving forward with it, particularly Issue Number 3, it either should refer to the seasonal closure of the silver eel fishery or there ought to be more information about possible seasonal closures for the other life stages, but the text just doesn't go with the title or the title doesn't go with the text; I'm not sure which.

CHAIRMAN TRAVELSTEAD: I see your point. Wilson.

DR. WILSON LANEY: I think several other people have made the habitat balance point very well. One thing I would like to see specifically included in the document is some indication of the fact that American eel has suffered a tremendous amount of nursery habitat loss as a result of dam construction and blockages.

I think that's very well documented in the plan itself, and we can just probably pull out maybe a paragraph that explains how that happened. That loss is pretty well documented, if I remember correctly, from the work that Dieter Busch and other colleagues have done.

I'll just say also that while we have noted over and over again at the board level, actually at many different board levels, that the agencies that are tasked with management of fishery resources typically aren't the same ones that are tasked with managing the habitat, this board is certainly not without influence in regard to participation in such processes as the federal energy regulatory relicensing arena.

We've worked very successfully and collaboratively, I might add, in the Roanoke River Basin in North Carolina through a settlement agreement with Dominion Generation to incorporate passage for eels and also monitoring and assessment of those passages, and hopefully that will be finalized very shortly here by the FERC.

That's something that I think is really significant. I strongly support that being included in the PID. There was one other statement I was going to make relative to Gordon's recommendation that the issue of chemicals and estrogenic mimicking compounds being sent to the Habitat Committee.

I support that suggestion as well and note for the record that there is an expert on the staff of the North Carolina Department of Environmental Quality, Dr. Barbara Grimes, who has a very excellent presentation that she's put together that addresses the impacts of those compounds on aquatic organisms, and I feel certain we could arrange for her to

come and address the Habitat Committee on that subject.

CHAIRMAN TRAVELSTEAD:
Great, thank you. Yes, sir.

MR. KRATCHMAN: Just to back up what Jim just said --

CHAIRMAN TRAVELSTEAD: I'll need your name for the record.

MR. KRATCHMAN: I'm sorry, Barry Kratchman from Delaware Valley Fish. It's everybody's foregone conclusion that there is problem with the catches going on, and I made a comment earlier today and it seemed to fall on deaf ears.

It seems like Dr. Casselman's stock assessment is being chosen to evaluate the North American catches, and I don't understand why the information is not being taken state by state or by North America and why Dr. Casselman's catches and his evaluation is being assessed for all of the North Atlantic fisheries.

I can tell you that some points were made about people catching eels and selling them to bait shops. I can tell you that there is probably 100 fishermen in North America that are catching eels that are being unreported, selling to bait shops.

It seems the biggest problem we have right now is the stock assessment. I think Points 2 and 3 of this PID would be extremely premature until we evaluate the stock assessment a little more clearly.

I think people really have to understand that there is, from what I can determine, not a problem with the catches going on in North America right now. I don't think you can compare that with what's going on in the St.

Lawrence.

If anybody would like further information. I'd be happy to talk about it, but I don't understand why everybody is so easy to agree with Dr. Casselman's assumption.

CHAIRMAN TRAVELSTEAD:
Thank you. Is there any board member who has any other point or issue that they want to add to the PID at this point or have we? Kelly.

MR. PLACE: I'd like to see the age-and-growth people tasked with perhaps looking at river systems that we have an ongoing time series of eel otoliths and determine from their micro-chemical signature if in fact there have been chemical changes in some of those river systems that have shown a marked decline. I think that's a useful archive that is in existence right now among a lot of the age-and-growth people.

CHAIRMAN TRAVELSTEAD:
What is that, a research suggestion?

MR. PLACE: Yes, it's a research but not necessarily original research. I think a lot of the age-and-growth people already have archives of these otoliths. Now, whether they've done the micro-chemical analysis or not, I don't know, but I think it will be useful, especially if you've got more than ten years of otoliths from eels from the same river system, which many river systems do.

I think with that micro-chemical analysis, you can possibly detect the chemical changes since they are imprinted on a daily basis on those otoliths. I think you can detect those chemical changes, which I do believe have a significant impact, especially on eels.

CHAIRMAN TRAVELSTEAD:
Thank you. Lew.

MR. FLAGG: Thank you, Mr. Chairman. I just wanted to say that I very strongly support the provision for looking at potential closure of the silver eel fishery. In Maine our inland fisheries agency is responsible for management of the silver eel fishery.

We have about 22 licensed fishermen that operate weirs at 40 different sites, and they weir off about 40 percent of the state's drainage areas. Since this plan was originally passed, we've worked with our inland counterparts and have had an arrangement with whereby we've issued no additional silver eel permits.

The 22 people that now have them are grandfathered, and as they leave the fishery, there will be no replacements for them. They can transfer weir sites from one area to another, but they can't weir off any more than the drainage area that was previously weired off, so we've got that fairly well under control.

We have been talking with our inland counterparts about this issue, though, and we'll be discussing with them further as this goes along, that we may be able to have a provision in our state management programs that would essentially -- as these sites go inactive, if they lapse for a year, we may be able to not allow them to reopen the fishery, and through attrition that way eliminate these.

I think the silver eel issue is a very valid one. I think it's one that would provide some fairly immediate relief and potential increase in recruitment for the Sargasso Sea by addressing this particular issue, so I'm

glad to see it's in there. Thank you.

CHAIRMAN TRAVELSTEAD:
Okay, any others? Yes, Ritchie.

MR. WHITE: Are you looking for a motion at this point, Mr. Chairman?

CHAIRMAN TRAVELSTEAD: I'll take a motion, sure.

MR. WHITE: Good. I move that we --

CHAIRMAN TRAVELSTEAD:
Pat's ready to second it, by the way.

MR. WHITE: I move that we proceed with the PID, with changes that have been suggested today.

CHAIRMAN TRAVELSTEAD:
You've heard the motion. Is there a second? Seconded by Pat Augustine. Discussion on the motion? There have been a number of suggestions, and I'm not certain that I have all of them, but I am certain that Lydia has all of them.

MS. MUNGER: Actually Joe has all of them.

CHAIRMAN TRAVELSTEAD:
And Joe, we know has all of them, right. without a doubt. Let me just go through my list. There were suggestions that we include discussions on hydro-electric impacts, chemical impacts, water quality issues, habitat loss, nursery habitat loss.

We ought to include the material that Mr. Henry suggested dealing with ocean currents, predation. There ought to be a little bit more discussion about the bait issue and possession on charter boats and things of that nature; up-to-date state landings from

each of the various states that have fisheries, Bruce's question on the status of the European stocks. I think that's --

MR. FREEMAN: Jack, just one other thing is just our monitoring, just an update on our East Coast monitoring.

CHAIRMAN TRAVELSTEAD:
Okay, update on our East Coast monitoring. Ritchie.

MR. WHITE: The motion would not include eliminating anything, though.

CHAIRMAN TRAVELSTEAD:
That was my impression. Yes, that's certainly how we should interpret it. Comments on the motion now? Mr. Adler.

MR. ADLER: Thank you, Mr. Chairman. Ritchie, are you therefore saying approval to go somewhere or approval to make these changes and then let us take a look at it?

MR. WHITE: No, the motion was to proceed sending it out to the public.

CHAIRMAN TRAVELSTEAD:
Gerry, then Roy.

MR. CARVALHO: Mr. Chairman, does that mean it would include the provision that would establish a license for recreational fishermen?

CHAIRMAN TRAVELSTEAD:
That's in there now, and the motion is not designed to eliminate anything, so it's still in there.

MR. CARVALHO: I would suggest that we remove that if we're going to move ahead quickly.

CHAIRMAN TRAVELSTEAD:
Okay, Roy, you had a comment.

MR. MILLER: Mr. Chairman, there have been an awful lot of comments this morning, and I'm not sure I'm entirely comfortable with what's going to appear in this next version of the PID and what isn't.

I'm not entirely sure I'm comfortable with every suggestion that has been made today, so personally, even though it will delay things, I'd like to see another version of this before we moved it to the public.

CHAIRMAN TRAVELSTEAD: Is there anyone who disagrees with wanting to see a more up-to-date version of this before we go out to the public hearings? Is there anyone who disagrees with that?

We could ask staff to tackle all of these issues, do a redraft and bring it back at our November meeting, and then proceed from there, so the question is, is that short delay a problem for anyone? Apparently not. Bruce.

MR. FREEMAN: I would move that we table this until the November meeting.

MR. WHITE: I'm willing to withdraw until November.

CHAIRMAN TRAVELSTEAD: Okay, the motion is withdrawn with the understanding that staff will proceed to incorporate all of the suggestions that the members have had. They will bring back a new draft to the document at the November meeting for our examination, and then we'll proceed from there. Everyone is in agreement with that? Mr. Abbott.

MR. DENNIS ABBOTT: Well, I'll be one that is in disagreement with that. I

think the state of this fishery is such that we should be moving ahead and not standing still. You know, we're almost -- the way the conversation has gone is we're acting like we should be afraid of things.

You know, we have nothing to fear but fear itself. What is the problem with moving ahead with a PID, which is what it says, a public information document? It's not nearly decision making. I don't care what's in the PID.

We're just looking to get public comment. Put in what you want. If the people are going to tell us what they think, I think that delaying is foolish at this point in time. Thank you.

CHAIRMAN TRAVELSTEAD: Anyone else agree with that? Otherwise, I think -- Gordon raised his hand in agreement. Well, I think we're going to need a motion then to decide this. I think we have more or less consensus that the document needs to be redrafted with the additions we've heard today.

The question is do you want the staff to immediately put it on the road for public debate or do you want to see it in November. The chair will accept a motion on that issue. Pat Augustine.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman. With that cafeteria list that you read off of all the items we wanted to have looked at, is it possible that we collectively, as a board, could go through a few of those that we could agree on, that the staff could do a very adequate job of describing what it is we want to be added to the PID as opposed to using that whole list?

I agree with Dennis. We're at a point in

time -- this fishery in most people's minds is a very critical situation. To delay any movement on this any further is just going to delay the whole process, and I don't think we're doing ourselves justice by doing that.

If we had four or five or three or four of the items on your list that you identified that we could agree upon, that could be added by the technical committee or by the PID to develop it and then go forward with it, I'd be in favor of doing that and making a motion to reflect that, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Who is willing to make a motion on this issue? Gene.

DR. KRAY: I make a motion we withhold until November.

CHAIRMAN TRAVELSTEAD: All right, is there a second to the motion? Seconded by Mr. Carpenter. Everyone understand the motion? We're going to redraft the document and look at it again in November before we send it out to the public. That's the motion. Now, some quick comments on the motion. Is there anyone who wants to speak against the motion? Gordon.

MR. COLVIN: Mr. Chairman, I don't want to speak against the motion, per se. I would prefer to move forward today. I don't think it would be the end of the world to hold off until November, but what would concern me greatly is if we came together in November with an awful lot of new stuff generated by the PDT that we hadn't seen and weren't comfortable with and left the November meeting without having come to closure.

I'm wondering what can be done, assuming this motion passes, between now and

November to try to assure that we come to the meeting in November, with the members of this board having reviewed, commented, had their comments addressed and had some sense that we've converged on a consensus before we get up to New Hampshire, so that we don't get surprised up there.

CHAIRMAN TRAVELSTEAD: How quickly can staff have a redraft? It's a pretty lengthy list, but we're not looking for page and pages of discussion.

MS. MUNGER: The plan development team can have a corrected draft of the public information document within one month.

CHAIRMAN TRAVELSTEAD: Okay, so that would be, what, mid-September? And then I think that could be distributed to the board members. They could be encouraged to comment back to staff. Those comments perhaps could be sent around to everyone to give us a better sense of where the issue lies when we come together in November. Lew.

MR. FLAGG: Thank you, Mr. Chairman. I think that's a good suggestion. I would suggest that this be recirculated to the board members, and that they be given a time to comment to bring out any particular issues of concern and those issues be circulated back to the board members, so that we'll be prepared in November to really move on with this.

CHAIRMAN TRAVELSTEAD: Okay, comments on the motion? Howard.

MR. HOWARD KING: Not directly on the motion. I would like the staff to give the states a week perhaps to get back with a critique of this and then go from there. I'd like the states to have the opportunity to

critique this to the staff.

CHAIRMAN TRAVELSTEAD:
The redraft?

MR. KING: That's correct.

CHAIRMAN TRAVELSTEAD:
Sure.

MR. KING: Well, even prior to the redraft, to critique this current document that can be used then in the redraft.

CHAIRMAN TRAVELSTEAD:
Okay, well, I think if you have other things you want done to this document or other issues, please get them to Lydia, because the PDT has got to hit the ground running with this redraft, so don't delay getting your new comments to them. Ritchie.

MR. WHITE: My only concern is that input from states would not withhold anything from the document, that everything that's in this document will go forward. The only thing we would be doing is adding more things.

CHAIRMAN TRAVELSTEAD:
Yes, that's correct. John, you had your hand up.

MR. HENRY: Well, I can't make a motion, but during this process, where the plan development team gets this document back again, I'd like to see somebody on the plan development team talk to Barry Kratchman, who is the eel industry on the North American continent.

I think people miss that fact, that there is the guy sitting right there that knows everything that is going on. He buys, how much, the biggest percentage of the eels on the North American continent, not just in the United

States, on the North American continent.

He's setting right there, and nobody has talked to him. You know, he has come here and talked to us but nobody has gone to him to find out what's going on. He has got numbers that are going to change people's thoughts about what is going on here, and nobody has talked to him.

I'd like to see this group direct somebody from the plan development team to go and talk to him and get some market into this, into what is going on, to try to understand what is happening market-wise better and look at the numbers he has. If the eels are in decline, why are his statistics for the last two years way, way above what they were five years ago?

CHAIRMAN TRAVELSTEAD:
Bruce, you had your hand up.

MR. FREEMAN: I support the motion and I look at this as simply adding information to the document. I just see it's a disservice to the public to go out with part of the information.

If we can provide more, let's do so. We're asking for a decision by the public, and I just see this as a way to initiate more reasonable comments or more educated comments. I don't see this as a delay action. I really believe this is going to add to the document and add to the comments that we get.

CHAIRMAN TRAVELSTEAD: I agree with you. Other comments on the motion? Yes, Mr. Adler.

MR. ADLER: Yes, first of all, I just wanted to ask if John's comment just now -- we don't need to do it in the form of a motion, I don't think, but is there a way that we could request that communication be

done? That was my one question. Secondly, I want to move the question.

CHAIRMAN TRAVELSTEAD: I don't think there is anything currently prohibiting any member of the PDT or the staff with talking with the industry at all. I would encourage them to do that every chance they get.

MR. ADLER: All right, I just heard it. The chairman encouraged the PDT to talk with them. It's on the record. Thank you.

CHAIRMAN TRAVELSTEAD: Yes, it's my personal encouragement that they do that, absolutely. In fact, I'd like to speak to him myself. Any further comments on the motion? Ready to vote? Is there a need for a caucus? No.

All right, let's vote. All those in favor of the motion, raise your right hand; opposed, like sign; abstentions; null votes, one null vote. The motion carries 15 to 2, no abstentions, 1 null.

Does that end our discussion under Item 4? I believe it does. Item 5, review membership on the stock assessment subcommittee. Lydia.

REVIEW MEMBERSHIP OF THE STOCK ASSESSMENT SUBCOMMITTEE

MS. MUNGER: Thank you, Mr. Chairman. The stock assessment is due to be completed in 2005, and currently, due to staffing changes in various agencies, there are two members remaining on the stock assessment subcommittee.

Those individuals are Vic Vecchio from New York and Laura Lee from ASMFC and

Rhode Island. However, the stock assessment subcommittee has room for up to six individuals; and up to that number of six, the more the better.

Staff will be contacting board members to submit nominations for the stock assessment subcommittee, so if you could please keep a look out for that, that would be appreciated.

CHAIRMAN TRAVELSTEAD: The next item is nominations to the PDT and advisory panel.

REVIEW NOMINATIONS TO THE PLAN DEVELOPMENT TEAM

MS. MUNGER: The nominations to the plan development team were completed following the May meeting of the management board. I'm just going to read the membership of the PDT, noting that a couple of those nominations were approved at the May meeting, but I want the board to have the full membership listed for them today.

The PDT members include Gail Wippehauser from the state of Maine, Tim Wildman from Connecticut, Steve Minkinen from the U.S. Fish and Wildlife Service, Vic Vecchio from New York, and Roy Stein from the Great Lakes Fisheries Commission, and staff chairs that team.

CHAIRMAN TRAVELSTEAD: Can we get a motion to approve the membership? Made by Mr. Colvin; seconded by Mr. Cupka. Discussion on the motion? All those in favor, say aye; opposed, no; abstentions; null. The motion carries. Advisory panel.

REVIEW NOMINATIONS TO THE ADVISORY PANEL

MS. MUNGER: Staff submitted to the board requests for nominations to the advisory panel and one nomination was received. That individual is Mitchell Feigenbaum from Pennsylvania.

The list of open slots on the advisory panel, as well as Mr. Feigenbaum's application and information, were distributed to the board on the CD-Rom.

CHAIRMAN TRAVELSTEAD: Is there a motion to approve? Bruce, makes the motion; seconded by Pat Augustine. Any comments on the motion? All those in favor, say aye; opposed, no; any abstentions; null votes. The motion carries.

Is there any other business to come before the board? Is there a motion to adjourn? We are adjourned.

MR. RUSSEL DIZE: Jack, I listened to the report by Mr. Henry. He gave his report and I listened very closely to it. I don't think anybody else in here listened to it because it went on without even noticing what his report said. We're gung-ho to do something.

This is the problem the fisherman has, commercial fisherman, that we haven't listened to what the technical committee said, so if we're not going to listen to what the technical committee says, why are we going on and seeking advice from the technical committee?

Our ears weren't opened to the fact of what his report said. His report said -- and if I'm wrong, Mr. Henry, correct me -- that in the Mid-Atlantic states the eel fishery was surviving pretty well, but no one seems to want to pick up on that. Everyone seems to want to do something, put out a report before we recognize all the facts that the

technical committee put out.

CHAIRMAN TRAVELSTEAD: Russell, let me correct one thing. Mr. Henry is the chair of the advisory panel, not the technical committee.

MR. DIZE: Okay, but his report said that we had -- you know, I just think that we should look into this and see if its regional. Do we have regional problems or is it coastal problems?

CHAIRMAN TRAVELSTEAD: He did read from a couple of documents, and I have asked staff to make copies of those documents and distribute them to the board members so that they'll have all of the details of those works.

OTHER BUSINESS/ADJOURN

CHAIRMAN TRAVELSTEAD: Anything else? Okay, we are adjourned.

(Whereupon, the American Eel Management Board meeting adjourned at 12:45 o'clock p.m., August 17, 2004.)

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