

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

**The Westin Crystal City  
Arlington, Virginia  
August 6, 2019**

**Approved October 29, 2019**

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August 2019

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1. **Approval of Agenda** by Consent (Page 1).
2. **Approval of Proceedings of October 2018** by Consent (Page 1).
3. **Move to approve the 2020 aquaculture proposals (Maine 1 year, North Carolina 2 years) with the TC's recommendations and following the addendum to harvest up to 200 lbs per calendar year** (Page 7). Motion by Cheri Patterson; second by Pat Geer. Motion split (Page 8).
4. **Move to approve Maine's 2020 aquaculture proposal with the TC's recommendation. Eels harvested will be grown out to the yellow eel life stage (minimum 9")** (Page 8). Motion by Cheri Patterson; second by Pat Geer. Motion carried (Page 10).  
  
**Main Motion**
5. **Move to approve NC's 2020-2021 aquaculture proposal with the TC's recommendations. In 2019, there will be no fishing in Nov-Dec. As per the addendum, the facility can harvest up to 200 lbs per calendar year. Eels harvested will be grown out to the yellow eel life stage (minimum 9") and the Board will be provided with an annual review** (Page 10). Motion by Cheri Patterson; second by Pat Geer. Motion to Amend.  
  
**Motion to Amend**
6. **Move to amend to remove 2021** (Page 11). Motion by Sen. Craig Miner; second by Raymond Kane. Motion carried (Page 13).  
  
**Main Motion as Amended**  
**Move to approve NC's aquaculture proposal with the TC's recommendations for 2020 only. In 2019, there will be no fishing in Nov-Dec. As per the addendum, the facility can harvest up to 200 lbs per calendar year. Eels harvested will be grown out to the yellow eel life stage (minimum 9") and the Board will be provided with an annual review to approve the second year.**  
  
**Motion to Substitute**
7. **Move to substitute to approve NC's aquaculture proposal for up to 200 lbs for 2019-2020 (Nov 1<sup>st</sup> 2019-March 31<sup>st</sup> 2020) consistent with the TC's recommendations. Eels harvested will be grown out to the yellow eel life stage (min 9")** (Page 16). Motion by Roy Miller; second by Pat Keliher. Motion carried (Page 17).  
  
**Main Motion as Substituted**  
**Move to approve NC's aquaculture proposal for up to 200 lbs for 2019-2020 (Nov 1<sup>st</sup> 2019-March 31<sup>st</sup> 2020) consistent with the TC's recommendations. Eels harvested will be grown out to the yellow eel life stage (min 9").** Motion carried (Page 17).
8. **Move to adjourn** by consent (Page 17).

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**ATTENDANCE**

**Board Members**

Pat Keliher, ME (AA)	Andy Shiels, PA, proxy for T. Schaeffer (AA)
Sen. David Miramant, ME (LA)	Stewart Michels, DE, proxy for D. Saveikis (AA)
Cheri Patterson, NH, proxy for D. Grout (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
G. Ritchie White, NH (GA)	Phil Langley, MD, proxy for Del. Stein (LA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Robert Brown, MD, proxy for R. Dize (GA)
Dan McKiernan, MA, proxy for D. Pierce (AA)	Lynn Fegley, MD, Administrative proxy
Raymond Kane, MA (GA)	Bryan Plumlee, VA (GA)
Phil Edwards, RI, proxy for J. McNamee (AA)	Pat Geer, VA, proxy for S. Bowman (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Mike Blanton, NC, proxy for Rep. Steinburg (LA)
David Borden, RI (GA)	Chris Batsavage, NC, proxy for S. Murphey (AA)
Justin Davis, CT (AA)	Ross Self, SC, proxy for R. Boyles (AA)
Sen. Craig Miner, CT (LA)	Malcolm Rhodes, SC (GA)
Bill Hyatt, CT (GA)	Spud Woodward, GA (GA)
Maureen Davidson, NY, proxy for J. Gilmore (AA)	Doug Haymans, GA (AA)
Emerson Hasbrouck, NY (GA)	Rep. Thad Altman, FL (LA)
John McMurray, NY, proxy for Sen. Kaminsky (LA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Heather Corbett, NJ, proxy for J. Cimino (AA)	Marty Gary, PRFC
Russ Allen, NJ, proxy for T. Fote (GA)	Chris Wright, NMFS
Adam Nowalsky, NJ, proxy for Sen. Andrzejczak (LA)	Sherry White, USFWS
Loren Lustig, PA (GA)	

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

**Ex-Officio Members**

**Staff**

Bob Beal	Dustin Colson Leaning
Toni Kerns	Kristen Anstead
Kirby Rootes-Murdy	

**Guests**

Bill Anderson, MD DNR	Walker Golder, Natl Audubon Society
Mel Bell, SC DNR	Desmond Kahn, Newark, DE
Sam Chin, NOAA	Arnold Leo, E. Hampton, NY
Russell Dunn, NOAA	Jason McNamee, RI DEM
Syma Ebbin, UCONN	Tim Sartwell, NOAA
Jim Gilmore, NYS DEC	

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The American Eel Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia; Tuesday, August 6, 2018, and was called to order at 1:30 o'clock p.m. by Chairman Martin Gary.

**CALL TO ORDER**

CHAIRMAN MARTIN GARY: All right we're going to go ahead and get started. It sounds like a couple folks might still be lingering outside, but we're on a tight schedule. We have about an hour. I would like to welcome everybody to the American Eel Management Board. My name is Marty Gary from Potomac River Fisheries Commission; I'll be your Chairman.

Your Vice-Chairman is Lynn Fegley from Maryland. Seated at my right in a minute or two will be Kirby Rootes-Murdy, who is the Senior Fishery Management Plan Coordinator for this species, and Kristen Anstead, who is our Stock Assessment Scientist that works with American eels.

**APPROVAL OF AGENDA**

CHAIRMAN GARY: Our first item on the agenda is approval of the agenda.

Are there any changes, additions, modifications to the agenda? Seeing none, it is approved.

**APPROVAL OF PROCEEDINGS**

CHAIRMAN GARY: The second item on the agenda, Approval of Proceedings from the October 2018 meeting, is there any changes, any corrections with the proceedings from October 2018? Seeing none, we have approved those proceedings.

**PUBLIC COMMENT**

CHAIRMAN GARY: Next up is Public Comment. Kirby, do we have anybody that has signed up? We are on a tight schedule. We have one person who has signed up. Desmond Kahn. If

you could come up to the public microphone, and if you could limit, Desmond, to about two minutes or so, please, thank you.

MR. DESMOND M. KAHN: Thank you, Mr. Chairman. Real quickly, I just wanted to alert the Management Board to some new research on American Eels, which I published this spring in the Journal Fisheries. This concerns some new data on trends in abundance and fishing mortality of America eels. I was inspired to pursue this research by a comment made by Craig Pugh, one of the Delaware Commissioners.

What I did was use a source of data that the stock assessment did not use in the last assessment, and that is a source of data that is used for many assessments, and that is the Marine Recreational Information Program, or MRIP data on catches and trips. What I did was construct a mean catch per trip index of relative abundance for American eels, and I used the whole Atlantic coast.

This is a very broad coverage index, and one thing you learn when looking at this is that most eels that are caught by the recreational fishery are discarded by the fishermen. Primarily it seems to be a bycatch, and the majority is discarded. But for purposes of estimated abundance, we've always used the total catch, including discards. This data is used for the striped bass assessment, the weakfish assessment, the bluefish assessment, and probably some other species. What it shows is that while American eel for the period of 1981 to 2014, their peak abundance was in 1981. They did go into a steep decline until about '95, but ever since 2003 their trend in abundance has been increasing.

They've increased as of 2014 up to the point where they're back up to half the level they were in '81, which is the peak during that period. I just wanted to inform the Board, and there are various comments on the stock

assessment, so I hope this could contribute to future assessments. Thank you very much.

CHAIRMAN GARY: Thank you, Desmond, I appreciate your comments.

**BOARD WORKING GROUP  
RECOMMENDATIONS FOR ADDRESSING A  
COASTWIDE CAP OVERAGE**

CHAIRMAN GARY: The next up on our agenda, we're going to have an update from Kirby on the Board Working Group recommendations for addressing a coastwide cap overage. As most of you know, we have passed a while back Addendum V to the fishery management plan.

There is a two-year trigger in place. Kirby is going to go through this. There is a Work Group that has been formed. They've met several times. I've listened in on all of those meetings, and there has been a lot of work, and we have a little bit to do. But Kirby, can you present that the Work Group.

MR. KIRBY ROOTES-MURDY: It's a very quick presentation, because it's just an update. For everyone's information we have a Work Group. The membership I have up on the screen now, it includes Marty Gary. For the state of Maine, Pat Keliher has designated Megan Ware to take part in this group. Cheri Patterson from New Hampshire, Lynn Fegley from Maryland, John Clark from Delaware, Pat Geer with Virginia, Chris Batsavage with North Carolina, and Ross Self from South Carolina.

As Marty laid out, Addendum V which was approved a year ago this month implements a new coastwide cap of 916,473 pounds. There is also a new management trigger as part of this Addendum, moving forward, a 10 percent overage which is greater than 1.008 million pounds for two consecutive years, triggers management action.

When it comes to that management action, previously there had been state-by-state

allocations in which the states would be responsible for their quota, but currently under the new Addendum there is no allocation, so states that are harvesting 1 percent of that coastwide harvest are responsible for the reduction if that management trigger is tripped.

The Working Group has met over the last year a number of times to develop basically a policy on how that reduction strategy would be carried out. There are two main challenges that the Work Group has focused on during their meetings over the last year, the first being that if the coastwide cap is exceeded, you know there is this marginal difference between it being exceeded and hitting that management trigger.

You can go up to just shy of 10 percent of an overage annually, without there being any management action that is required. The second that we've talked about at this Board before is the lag time in which data becomes available for us to know if we have gone over the coastwide cap, or if a management trigger has been tripped. We often get data for the previous fishing year, usually between the late-spring through the summer. We are in the current fishing season in which we would be wanting to effectively take action to reduce harvest if need be, and so there is a one-year lag in terms of trying to get action to address an overage.

These are two of the main challenges the group has struggled with, and has talked through. The draft document is continuing to be worked on, and the group has thought through a number of overage scenarios and reduction strategies, and will be fleshing those out over the next few calls. The next step is for this Work Group to meet again later this month, and to continue work in developing this document, and for it to be presented to the Board at the Annual Meeting.

The previous plan had been to present a draft document to you all today, but given some

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additional discussions by the group, it was determined that it would be best for the document to be fleshed out a little bit more with the decision tree, to really address some of these scenarios where the management trigger has not been tripped, but an overage has occurred of the coastwide cap, and how best to try to address that to prevent that management trigger from being tripped. With that I'll take any questions. Thank you very much.

CHAIRMAN GARY: There is no action or motions needed by the Board today. But if there are any questions about the Work Group's efforts, Kirby can take those now. Are there any questions for Kirby? I just wanted again to thank all the members of the Work Group. I think we have good, broad representation from both some of the lower harvesting states on both ends of the geographic spectrum.

Up and down the coast, as well as the Chesapeake region, where a lot of the higher landings of yellow eels occur, there has been a lot of effort that's been put into those meetings. We'll have information for you at the October Annual Meeting.

**REVIEW AND CONSIDER APPROVAL OF THE  
2020 AQUACULTURE PROPOSALS**

CHAIRMAN GARY: Next up on the agenda will be the Review and Consideration of Approval for 2020 Aquaculture Proposals, and we have two, Kirby.

MR. ROOTES-MURDY: For my presentation today I'll go through the Maine proposal and the North Carolina proposal. The Technical Committee's review of those two proposals, Law Enforcement Committee's feedback, and I'll take any questions from you all. First the Technical Committee was presented Maine's summary of the 2019 fishing year earlier this summer.

Effectively Maine harvested 130 pounds of their 200 pound allocation to grow out glass eels to the yellow eel life stage. American Unagi is the company that is working in Maine on this aquaculture allocation, and they contracted with several commercial eel fishermen, they all worked together to help make this program run smoothly this year.

Each fisherman had between 10 to 20 pound allocations to fish their fyke nets, and took their catch to buying stations with a swipe card system, as required by Maine Department of Marine Resources. It was a slow start to the season, due to the cold spring in the region, and most of the fishing took place from mid-April through May. American Unagi, as I said harvested only 130 pounds of their 200 allocation, and this was a decision made by the facility to try and not stress the capacity they have in the facility for growing out these animals. For the first year of this allocation they wanted to ensure that they were more successful, rather than trying to harvest all the way up to their allocation. Law Enforcement visited the facility and had no issues with the program. In terms of their proposal for the upcoming year, 2020, there are no changes in the facility or monitoring, and they plan to try to harvest the full 200 pounds.

For North Carolina, we received a summary of their 2019 fishing season. Todd Mathes presented an update on this year's fishing season, as well as their two-year proposal for the American Eel Farm that has submitted a proposal annually since about 2016. The American Eel Farm fishermen fished fyke nets, about 14 of 22 possible weeks, primarily from January 1 through March 30, ending about six weeks earlier than they had set their season.

Dip nets were only used on one occasion, and fishing primarily occurred in canals and tributaries of the Lake Mattamuskeet area. In total 13.82 pounds of glass eels, which are approximately 42,000 eels were harvested, and approximately 980 of them were released alive.

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Catch per unit data was collected, but some of the caveats included differences in net dimensions, changing harvest locations, gear modifications, inconsistent fishing effort, periods of no fishing, and recorded weights that included water.

In terms of the changes that they're proposing, they are putting forward another two-year proposal. The first change is that they are interested in moving the fishing year from starting on a calendar basis of January 1, to starting November 1, and going to March 31. It would cover two calendar years.

They are also going to change the time in which they needed to leave the nets open from noon to 3:00 o'clock p.m., this was primarily to address the need to get to some of these sites that are further away from the facility, so ease of transportation to get there to address the nets. Other changes are a move to record the actual number of eels harvested, or weight of glass eels harvested.

Basically, previously they had been trying to measure the weight, but they hadn't been able to do it to a precise level. The goal now is to record to the nearest 0.1 pounds of glass eels, and for any dip nets used. There will be changes to the weekly CPUE reporting. They will be increasing that, and they will also now be required to call in to North Carolina DMF prior to leaving the site of what their total harvest was for that trip.

The Technical Committee reviewed both of these proposals last month, and regarding Maine's proposal no concerns were raised. For North Carolina's proposal there was a minority opinion concerning moving the start date to November 1. Basically the concern stemmed from whether this would present any law enforcement issues.

But overall the Technical Committee indicated that this would likely not be an issue, and if anything might provide more information about

abundance in the fall. They were going off of, in terms of this interest in starting November 1. American Eel Farm had heard from some South Carolina fishermen that there might be higher abundance in the fall than previously known, and they also were interested in looking at some of the Beaufort Bridge, ichthyoplankton sampling program that seemed to indicate that there might be the presence of glass eels around that time as well. The Technical Committee, their primary recommendations were that for future proposals to include more information on the attributes of the harvest locations, the specific amount of the previous year's harvest. Much of these proposals when we've had the Technical Committee review them in a given year, have as a supplement offered up what their summary is.

But the group is looking to have that just rolled in with their proposal for the next year. Then also to require CPUE reporting for each of the harvest sites, so for example North Carolina is doing this on theirs, because they have only this one site where they're doing glass eel harvest, whereas for Maine currently, there is a CPUE that is calculated, but across all of the sites combined for the state.

The Technical Committee was interested in moving more towards a CPUE value for each of those sites that are harvested, as part of that glass eel aquaculture allocation. Overall the Technical Committee recommended approval of both proposals. The Law Enforcement Committee was also presented these proposals by e-mail, notified of the changes, and they did not indicate any concern or objections to these proposals as presented. With that that concludes my presentation. I'll take any questions. Thank you.

CHAIRMAN GARY: Questions for Kirby on either of the two proposals. Dan.

MR. DANIEL McKIERNAN: Question about the call-in that the North Carolina fishermen do to the agency. Is it just dropping a message on



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somebody's voice mail, or is it something a little more sophisticated?

MR. ROOTES-MURDY: That's a good question, Dan. I might have to go to Chris Batsavage to give some more clarity on that.

MR. CHRIS BATSAVAGE: They call into our Communications staff, the phones are monitored 24 hours a day, and so they're actually talking to someone and not leaving a voice mail.

CHAIRMAN GARY: Cheri Patterson.

MS. CHERI PATTERSON: My question has to do with is there anything in the Addendum that allows for the straddling of a calendar year in the quota?

MR. ROOTES-MURDY: Thanks for the question. Currently the language in the Addendum references the allocation on an annual basis, but it doesn't have anything specific to calendar year versus fishing year.

CHAIRMAN GARY: Pat Geer.

MR. PATRICK GEER: Kirby, I don't know if this should go to the TC or to Chris in North Carolina, but looking at the North Carolina plan, they put a whole lot of effort. It says 73 days with over 15,000 hours of fishing, and they only caught roughly 10 pounds of glass eels, because they caught three pounds with dip nets. Did the TC discuss those numbers? I mean there is a lot of effort going in for the little amount that they're harvesting.

MR. ROOTES-MURDY: I think I failed to get into that detail about what they harvested in 2019, looking back at my presentation. I had it up on the screen, but I didn't speak to it. They harvested 13.82 pounds, which is the highest amount that they've harvested in the three years or so that they have put forward proposals. But unfortunately they had a total mortality event on all of those eels that were

harvested in June. I believe it was an issue with the feed. That is what was communicated to us on the call.

When the Technical Committee considered that change, in terms of them increasing and having some more success this year, there were some notes about how adjusting the season may allow for them to have more success if they are possibly seeing eels in the fall. But again that is anecdotal information from some fishermen in South Carolina. Right now we don't have great data to demonstrate for sure whether or not they will be successful being able to harvest glass eels at that time of year.

MR. GEER: Because as a business model it's going to be pretty hard, you know 13 pounds is just not going to be, they're not going to make a profit on that little amount even if they kept it alive.

MR. ROOTES-MURDY: I can't speak to the full business model that this aquaculture farm American Eel Farm in North Carolina is operating under, but I do believe they have other sales of eels at different life stages, so yellow eels I believe they are selling them for bait. But I don't know the full extent of what their business is.

CHAIRMAN GARY: Other questions for Kirby on either proposal. Eric Reid.

MR. ERIC REID: One of the things the TC is recommending is the CPUE. But if you look at the caveats, what is it really going to do unless you're calibrating every net and site and everything else, as far as a requirement goes? I don't know why that would even be in there, it seems a little confounding.

MR. ROOTES-MURDY: It's a fair observation. There are definitely caveats with how this data is collected. The Technical Committee didn't express any concerns about the CPUE data that was coming out of the North Carolina proposal currently. What they were looking to have

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more information on was regarding Maine's proposal, because currently, as I said that CPUE data is aggregated at the state level.

I mean the harvest is broken down on a county basis, but it doesn't have the CPUE at the site level, whereas the North Carolina one, we only have information on a small number of sites, and CPUE is calculated on those, and that's where the Technical Committee was hoping to get more information for any proposal coming forward that has it specific to the site.

CHAIRMAN GARY: Follow Eric?

MR. REID: Thank you for that I appreciate that. I have no problem with the North Carolina proposal. Mr. Chairman whenever you want a motion I'll give you a motion, but what are the chances of because two of their best weeks, not their best weeks, were right at the end of March. I mean they only caught a pound and a half, five pounds. So you had five pounds twice. But what is the likelihood if they don't catch any when they want to open up in November and December, and they catch a few halfway through March and say, hey we're catching a few, we would like to leave it open, because we have 186 pounds left to be caught. It just seems to me they want to close the fishery when they were catching a few.

MR. ROOTES-MURDY: I think something for this Board to consider in reviewing these proposals, and considering approval of them is if there are any specifications that you would prefer to have on that allocation. One thing for this Board to keep in mind is that these proposals have operated under generally a calendar year basis, right.

They've outlined when their season starts and ends, usually in January through late in the spring. The proposal has outlined their start date and their end date. It does straddle two different calendar years. There is no language currently about them looking to extend their season beyond the end of their season in

March, so if that is of concern then this Board can make those stipulations known.

CHAIRMAN GARY: Pat Keliher.

MR. PATRICK C. KELIHER: I'm having a little trouble. I'm trying to figure out why we would need to deal with CPUE when we're talking about a handful of harvesters in a few locations. How is that going to benefit management? There are so many factors that are going to impact CPUE outside of the control of the harvesters.

I mean, somebody could put a new in front of that fyke net. It could be weather driven. You know some rivers don't fish. It is good one year, as a river right beside it. It is unclear to me what benefit recording CPUE is going to be as it pertains to just the aquaculture harvest. If we're really looking for CPUE to benefit management, shouldn't we be talking about maybe a different approach as it pertains to the entire fishery, not just the aquaculture quota?

MR. ROOTES-MURDY: Again this was just an observation made during the call, and the group was in agreement on recommending that if possible to collect this information at the sites.

CHAIRMAN GARY: Adam Nowalsky.

MR. ADAM NOWALSKY: I would be interested in hearing some feedback on the state that reviewed the proposal, from the TC, from staff. Given the mortality event that occurred last year, we essentially just threw away 42,000 eels. Done, gone, no benefit from it. What is going on at the facility? What reviews in place to make sure this isn't going to happen again that something similar isn't going to happen?

I think we've got a question. Do we have a wise use of this resource, if this is what happened to the eels last year? I've got a real concern about that, and I would like to hear some feedback from the state that reviewed the proposal or staff, about what's in place that this is going to

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have a better outcome in future years, and this is a reasonable use of this resource.

CHAIRMAN GARY: Chris, are you comfortable commenting on that?

MR. BATSAVAGE: Yes. I guess part of it is the timing of the mortality event, it occurred after the plan was submitted, not that that would necessarily change our minds, as far as bringing it forward. As Kirby mentioned, they actually had quite a bit more success in collecting glass eels this past year than they had in the last few. It was just unfortunate they didn't survive the tank rearing.

I mean in terms of inspection, our enforcement officers go in there to make sure that they're following what is laid out in the plan from a regulatory standpoint, not necessarily from – we don't evaluate them on whether or not they are going to be productive and profitable. You know we really don't do that for any of our permits.

But I think your point is well taken, as far as the concern the Board has, as far as just the lack of success seeing these things through to the adult stage. From our perspective, they're following the provisions of the plan, no enforcement issues, not a huge burden on staff to monitor this aquaculture plan. With that we don't really have any concerns with it, but your points are well taken.

CHAIRMAN GARY: Other questions on the proposals, or we can entertain a motion. Cheri Patterson.

**MS. PATTERSON: Yes, I would like to move to approve the 2020 aquaculture proposals with the TCs recommendations, and also following the addendum to harvest up to 200 pounds per calendar year, not fishing year.**

CHAIRMAN GARY: Get that on the board. Do we have a second to this motion? Pat Geer. I'm going to go ahead and read this in.

MR. ROOTES-MURDY: Just a quick clarification. As you're aware, one of the proposals was for 2 years. The North Carolina proposal is a two-year program. Can you just specify with this motion whether this is an approval of that proposal for two years, or if it is for one?

MS. PATTERSON: Yes, for two years.

CHAIRMAN GARY: Just to be clear, this will be for both Maine and the North Carolina proposal for two years. Go ahead, Kirby.

MR. ROOTES-MURDY: We were just trying to clarify that one of the proposals is for two years, right. That is the North Carolina proposal. Maine's proposal is just for one year, so the motion is clarifying that it's just approval of these proposals, with one of them that will carry for two years.

MS. PATTERSON: You want that wording is what you're telling me, because the proposals are indicating that Maine is one year and North Carolina is two years.

CHAIRMAN GARY: One last clarification, Kirby, go ahead.

MR. ROOTES-MURDY: Cheri, I just want to be clear. For the 2020 aquaculture proposal, as indicated we already have a harvest that has occurred for North Carolina in 2019. Does this motion, can you clarify what it means for when North Carolina can begin their fishing season for this allocation?

MS. PATTERSON: Yes, North Carolina can proceed with their proposal for November 1, however they have already harvested slightly less than 14 pounds, so they can only harvest up to 200 each calendar year.

CHAIRMAN GARY: Senator Miner.

SENATOR CRAIG A. MINER: When I was listening to the discussion earlier, I didn't hear

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much about the state of Maine's proposal. I did hear about the review of their proposal, and it didn't seem like there were any issues. I wonder if splitting this motion wouldn't be the cleanest way to do it, so that any of the nuances of the proposal for North Carolina could be handled through a separate motion, rather than have it be done the way it's being done.

I have some concern about what occurred, and if there was a reoccurrence up to 200 pounds that would be an even more significant concern. I wonder why we would be approving a two-year proposal for North Carolina, not a one-year proposal. Anyway that was the reason for my request to consider a different motion.

CHAIRMAN GARY: Ritchie White.

MR. G. RITCHIE WHITE: Would we not have the ability to readdress these in a year if there was another episode, another mortality episode? In other words, we would have the ability to undo the second year if there was some reason. That's a question.

CHAIRMAN GARY: Kirby.

MR. ROOTES-MURDY: Yes again, I think this is for the Board to specify if you guys want to make it contingent on how the first year plays out, in terms of monitoring, performance of harvest, law enforcement review.

CHAIRMAN GARY: Ritchie, follow up?

MR. WHITE: Short of having that in the motion, we would not then have the ability at the end of the first year if there was an event for us to take action. I guess Toni might be able to answer.

CHAIRMAN GARY: Toni.

MS. TONI KERNS: Ritchie, I think we can ask for a review of how the fishing year went, just like we did I think a couple years ago. If there is something that alarms the Board you can revoke the proposal for the second year, or

revoke yes the proposal, the allocation for the second year.

CHAIRMAN GARY: It's the Board's pleasure as to how we proceed with the existing motion. We'll pull it back. Ray Kane.

MR. RAYMOND W. KANE: Why don't we split this motion? I mean Maine is going to come back next year with a report, and why don't we leave the two states independent of one another? Why not split this motion?

**CHAIRMAN GARY: Is the maker of the motion amendable to that Cheri? All right, so we're going to split the motion. Toni.**

MS. KERNS: It would just be good to say is there any objection to splitting the motion, because it is property of the Board now, and so therefore.

CHAIRMAN GARY: **Is there an objection to splitting the motion? Seeing none; we're going to proceed with a split of the motion, while we're putting this up, Cheri.**

MS. PATTERSON: The first part of the motion, can you bring up the one used prior to this? Pat, feel free to jump in, you're the second. **Move to approve Maine's 2020 aquaculture proposal with the TC's recommendations. That would be the first one, Maine's 2020 aquaculture.**

CHAIRMAN GARY: Does that capture your motion, Cheri and seconder, Pat?

MR. GEER: Then the North Carolina one will just be the same, move to approve North Carolina's 2020 aquaculture proposal with the TC's recommendation, because within the plan it says it's for two years. If you want to be more specific we could say two years if you want, if that is the pleasure of the Board.

MS. KERNS: Pat, because we split the motion we're going to hold off on that second half, and

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just talk about this first, and then get to North Carolina.

CHAIRMAN GARY: All right discussion, Justin Davis.

DR. JUSTIN DAVIS: Just a point of clarification. Were there any TC recommendations relative to Maine's 2020 proposal, as in recommendations for changes or additions to the proposal?

MR. ROOTES-MURDY: Well as mentioned there was an interest in trying to collect CPUE at the harvest site location, as well as whether including information on attributes of the harvest location. I had it up on the previous slide; it is Slide 6, the attributes of the harvest location, the previous year's harvest, as well as requiring CPUE reporting from each harvest site. Basically the Technical Committee is looking to try to get some more information about some of the information on each of these locations, and then as I said before, in the actual report the proposal they're sending in what the harvest was, because each year now we've received generally a summary after the fact in a memo, or in the actual presentation and not the written proposal.

CHAIRMAN GARY: Doug Haymans.

MR. DOUG HAYMANS: Not that I see it in here, but wasn't there also some discussion about a grow-out; grow out to the yellow eel life stage?

CHAIRMAN GARY: Kirby, can you address that?

MR. ROOTES-MURDY: Sure. Last year the Board specified that the 200 pound glass eel allocation was for glass eels to be grown out to the yellow eel life stage for Maine, because the language in Addendum IV specifies that the eels can be grown out to the state's legal eel size. For nearly all other states along the coast that is 9 inches at least.

CHAIRMAN GARY: Does that answer your question? Doug, you have a follow?

MR. HAYMANS: Well, since that is not part of that motion does it need to be? It wasn't in their proposal either, does it need to be?

MR. ROOTES-MURDY: Yes, it needs to be specified in the motion if it's going to be the requirement to grow out the glass eels to the yellow life stage.

MR. HAYMANS: Is that the desire is to require grow out to the yellow eel life stage?

MR. ROOTES-MURDY: As mentioned before, it was specified by the Board at the Board meeting last year, so it is the pleasure of this Board. To be clear that's just to make it absolutely transparent that the grow out operation will be growing out these glass eels harvested to the yellow eel life stage, which American Unagi has indicated that is their plan, but the motion specified that because of the state regulatory language.

CHAIRMAN GARY: Cheri, as maker of the motion would you like to add that in?

**MS. PATTERSON: Yes, go ahead and add that in, thank you.**

CHAIRMAN GARY: I think that achieves what you were asking, Doug. Emerson Hasbrouck.

MR. EMERSON C. HASBROUCK: I'm a little unclear here. We needed to include that language for Maine. Why is it that we do not need to include that language for North Carolina?

MR. ROOTES-MURDY: As indicated, all other states, including North Carolina, their legal eel size is 9 inches, right? That has been determined by the Technical Committee to be the recommended yellow eel stage that these eels can be harvested at. Maine currently has language that allows for the harvest of less than 9 inch eels, so this is to specify that the grow-out of those eels in Maine would be at the

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yellow eel stage. North Carolina already has a minimum size on what those eels would be caught, and in turn sold at.

CHAIRMAN GARY: Follow, Emerson?

MR. HASBROUCK: Then it's implicit that for North Carolina they need to raise those eels to the state's minimum size, and then I've got a follow up on that.

MR. ROOTES-MURDY: Yes.

MR. HASBROUCK: What happens when they all die? They didn't raise them to the minimum size; does that put them in conflict with our program that allows this to occur?

MR. ROOTES-MURDY: I don't believe so, because they all died.

CHAIRMAN GARY: I don't think they went to market, Emerson, I think that's the point, but I understand what you're saying. Chris Batsavage.

MR. BATSAVAGE: Just to clarify the question Emerson had. Marine Patrol collected the dead glass eels after it was reported that they died, so they are in our possession, thanks.

CHAIRMAN GARY: Other questions? All right so are we ready to go ahead and vote on this motion? Are we going to take these one at a time, Kirby? **This is the Maine proposal. All those in favor raise your hand, those opposed, any abstentions, any null votes? The motion passes 17, 0, 0, and now we'll move to the next proposal.** Go ahead, Pat.

**MR. GEER: Move to approve North Carolina's 2020-2021 aquaculture proposals with the TC's recommendation, and eels harvested will be grown out to the yellow eel life stage, (minimum 9").**

CHAIRMAN GARY: All right we have a motion by Pat Geer. Do we have a second to that motion? Cheri Patterson.

MS. PATTERSON: Thank you, we're trying to add in the calendar year provision.

MS. KERNS: Marty, you split the motion, so it is not a new motion. It's still Cheri and Pat's motion; it's okay as long as Cheri is okay with adding that additional language about eel being harvested to the yellow eel life stage. But in order to keep us in the rules of Roberts Order, we would keep it. Yes thank you for putting Cheri in there as the maker and the seconder would still be Pat.

CHAIRMAN GARY: The maker stays Cheri Patterson, second Pat Geer. Do we have the motion as you intended, Cheri?

MS. PATTERSON: Can we add in there to have an annual review?

CHAIRMAN GARY: Pat Geer.

MR. GEER: Since the other one had specifically said the size after yellow eel life stage, put in parentheses (minimum 9").

CHAIRMAN GARY: Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just a quick question. North Carolina is interested in starting their harvest November 1, so if they started harvesting eels November 1st of this calendar year, 2019. Are those eels counted against the 186 pounds they have remaining on their current proposal and approval, or are they sort of starting their 2020 200 pound allocation?

I think the answer is they are part of the 186 that they have left over. But I think we need to make that very clear that they can harvest the remainder of their quota in this calendar year, 2019. Then they start a new 200 pounds January 1, 2020. But that is my interpretation,

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but I think that everyone around the Board agrees to that.

CHAIRMAN GARY: I can see a lot of nodding heads. That's your intent, Cheri?

MS. PATTERSON: Yes that was my intent. Pat, is that your intent?

MR. GEER: I agree.

CHAIRMAN GARY: Pat Keliher.

MR. KELIHER: In a sense this is a three-year proposal, if we're going to expand on 2019, and then allow for a potential harvest in 2020 and 2021. It's now a three-year proposal, because you're allowing them to harvest, so it goes away from even their existing proposal we've expanded upon it as a Board.

If that is the way the Board goes, I'm not going to object. I think they've got challenges in North Carolina associated with this proposal that have been raised. I would like to see them succeed, but I am cautious. I would want to be cautious about wanting to expand this too much more.

CHAIRMAN GARY: Senator Miner.

SENATOR MINER: To the point about 2019 being I guess the current allocation that we're in. Is there any disagreement with Pat's statement that that allocation currently exists, and could still be fished on I think you were saying in November as part of this year's allocation. This would add two more years to that. **If that is true, I would propose an amendment to this that would make it for an additional year, 2020, as opposed to 2020 and 2021. Then have the review and see how it looks in 2020.**

CHAIRMAN GARY: Senator Miner, are you amending the motion?

**SENATOR MINER: Yes, please to just make it 2020.**

CHAIRMAN GARY: Twenty nineteen to 2020?

SENATOR MINER: Well, I think I may not be correct, but I don't think we're actually amending the current calendar year that we're in. I don't remember what the original motion was for the year that we're in. But assuming that the motion was that there would be fishing available in 2019 calendar year up to 200 pounds. How they administer that in North Carolina is up to North Carolina. I assume they keep track from the spring season to the fall season. It just occurs there differently than it does in New England, so the 2020 would be one more year.

CHAIRMAN GARY: Cheri.

MS. PATTERSON: Considering that this is a two-year proposal that is supposed to start in 2020. That's what it is. It's going to start in 2020, right? They can't fish this year in November or December. This is a 2020 proposal.

CHAIRMAN GARY: Kirby, you can clarify?

MR. ROOTES-MURDY: Cheri, I'm sorry. I want to make sure we're getting this right for this motion. You're saying that they can't start November 1, they can start their fishery January 1, 2020, and they would be able to fish in 2020 after the season that they had laid out, so it would be January 1 through March 31, but they could start again in November of later that year. That's what you're specifying. Okay.

CHAIRMAN GARY: We had Senator Miramant; do you still want the microphone?

SENATOR DAVID MIRAMANT: No, thank you, that was answered.

CHAIRMAN GARY: Roy Miller.

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MR. ROY W. MILLER: Mr. Chairman, the way I read this, and I have to assume that the attorney representing this company will read this motion carefully. As it reads to me, they can harvest 200 pounds per calendar year. That means they could harvest 400 pounds, as I read this. Was that our intent?

By spanning the sampling period from November, spanning over into the new calendar year it has confused things. When it says they can harvest up to 200 pounds per year, if you read that literally, that means they could take a total of 400 pounds, 200 pounds in 2020 and 200 pounds in 2021.

CHAIRMAN GARY: Chris, could you add some clarity?

MR. BATSAVAGE: I don't know, I'll try, because it is admittedly there is a disconnect with the calendar year under the Addendum, and the fishing year, which this plan proposes. When we looked at the plan we talked about how to account for the harvest under the fishing year, but keeping in compliance with the calendar year.

You had the statement, and the other part I want to go back to is the aquaculture plan that they had in 2019 ended in May, so there is not a current aquaculture plan in place in North Carolina. If this one is approved it presumably will start November 1st. When they start, hypothetically they start November 1; they can land up to 186 pounds of glass eels during the 2019 calendar year, because they already landed 14 pounds. However, if they did land, or so they land 186, and the following fishing year, this is a 200 pound allocation per fishing year. They've been limited to 14 pounds, and then they would have to wait until November, and start fishing again.

It's going to be a little extra math on our part, as far as making sure that they don't take more than 200 pounds of eels any given calendar year, which will be spanning two fishing years,

and they don't take more than 200 pounds of eels during any given fishing year, which would be November through March. It's kind of hard to explain on the fly, but this is something that staff has talked about and has considered. Due to the call-in mechanism in place in the plan, we feel like we can keep track of that and making sure that they don't go out of compliance.

CHAIRMAN GARY: Bob.

EXECUTIVE DIRECTOR BEAL: I think we've got ourselves in a little bit of a procedural spot. We've got a motion to amend without a second, and we've got the main motion that has been perfected by staff, I think to capture a lot of the conversation that's been going on, you know following the motion to amend.

What staff has done is made sure it's clear that no fishing can take place at the end of this calendar year, and that the intent is for 2020 and 2021, to allow fishing consistent with the new proposal from North Carolina in the months that they proposed. Hopefully that is all captured in the motion that's up on the board.

One way out maybe if there is no second to the motion to amend, then that one goes away. Then we'll need to reread the main motion into the record, and we can move forward from there. But I don't want to cut off debate or lobby for either side, so just sort of highlighting the kind of spot we are in procedurally.

CHAIRMAN GARY: We are running a little bit short on time, and so maybe consistent with what Bob mentioned, let's give the amendment by Senator Miner an opportunity. We would need a second. If we don't get that second, as Bob mentioned, we pull this back. Is there a second to Senator Miner's motion? Ray Kane.

Is there discussion again? We'll call the question. **Move to amend to remove 2021, motion by Senator Miner, seconded by Ray Kane. All those in favor raise your hand please, those opposed, abstentions, 1, null**



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**votes. The motion passes 10, 6, 1.** We're going to get this adjusted on the board, just a moment. Okay so we're back to the motion, I'm going to read it into the record. Go ahead, Eric.

MR. REID: Sorry Mr. Chairman. What we're doing is we are not approving North Carolina's 2020 aquaculture proposal, because they're proposing to go fishing in November and December, and we're changing their fishing season in 2020 from January, February, March, and adding November and December. Is that correct? I would just as soon make a motion to accept the plan as it is and let it go. North Carolina says they can enforce it. We're going to be up to 15,000 hours of horsing around with this and have our CPUE pretty crappy here before this is over. I don't know why we're picking away at that. Let them do what they want, it's their money, and North Carolina can handle the enforcement.

CHAIRMAN GARY: Ritchie.

MR. WHITE: I would like to hear the intent of the maker of the motion to amend. Now was your intent that North Carolina will have the chance at a two-year proposal, and you just want to review it at the end of 2020, and then give them another year, or do you want this to just be a one-year proposal and they're back to the drawing board?

SENATOR MINER: My proposal is for it to be a one-year program, which they can administer. Understanding that they would begin fishing, I guess in the spring, and then have another opportunity to fish in the fall, until they reach 200 pounds in the calendar year of 2020. If I recall when I made the motion, the original motion had not been clarified to include that there would be no fishing in November and December of this year. I don't think the motion changes that at all, even though it's now added.

Next spring they would begin fishing, and they would have an opportunity, just like they do in

Maine, to catch enough glass eels to begin that aquaculture program in 2020, even though it will be in two waves, or maybe they'll catch them all in the spring of next year. I have no idea what's going to happen.

Then we would still have the opportunity to review it, and they could make another request for a continuance under that proposal. I'm concerned about a review of a two-year plan that has a value on the street, never mind grown out, of something around \$400,000.00. When it starts to get to that number, I think people will argue about it. Rather than giving them an understanding that they would have a two-year proposal, I feel more comfortable with a one-year proposal.

CHAIRMAN GARY: We have Chris Wright and then Cheri. I would remind everybody we're already over, so we'll try to wrap this up quickly if we can.

MR. CHRIS WRIGHT: If there is going to be a review, would that happen at the winter meeting?

MR. ROOTES-MURDY: Thanks, Chris, this is Kirby. What you're asking is that because they won't be harvesting any eels later this fall, and their fishing season is kind of bifurcated on the beginning of 2020 and the end of 2020 that they will report out on how the fishing year 2020 went would be in the winter meeting of 2021.

MR. WRIGHT: Right, so then they would have a chance to submit another proposal for the following 2021 year, correct?

MR. ROOTES-MURDY: I think that could be possible. I will point out that right that would be somewhat in the middle of their fishing season, so that is just something for the Board to keep in mind that if there is the interest in maintaining that for the 2021 fishing season, it would be the end of, well from February onward and then November through

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December, but it would be the Board's discretion on how to specify it then if need be.

MR. WRIGHT: Right, and that might cause a problem, because then it might foreclose their opportunity in 2021, and I think we should be clear that when we make this decision on this motion that they have an opportunity to actually submit a proposal in early 2021 and to get it approved. I mean it seems like you're foreclosing their opportunity for that second year.

CHAIRMAN GARY: Kirby. Senator Miner, can you clarify?

SENATOR MINER: Sure, we're in August. In August we found out what happened this spring, and it would seem to me that in the August meeting at the very latest next year, we could have an update. I would argue we could have an update in May. I think North Carolina will know how the spring fishing went.

I don't think that would necessarily foreclose anything. I would certainly be willing to reconsider a motion next May or next August, just as we are today about another request for another year of fishing. I just think I would feel better having had that conversation by this time next year to provide that opportunity.

CHAIRMAN GARY: We have Cheri and then Chris, and hopefully we can wrap up.

MS. PATTERSON: The way that first sentence reads is we're approving the North Carolina's aquaculture proposal. Oh, I'm sorry it got changed to 2020 only. Sorry. The last sentence, if you go back to the original sentence, maybe then you can move the last sentence to say the Board will be provided with an annual review to approve the second year.

CHAIRMAN GARY: Cheri, because the motion is property of the Board, you would need to amend, we believe. Would you be willing to

amend the existing motion? Toni, is that right, what I'm thinking?

MS. PATTERSON: Yes, we were trying to take a shortcut. I think we're getting too wrapped around the axle to have these guys be able to fish over a straddled year, a fishing year as opposed to two calendar years. It almost seems like we have to be nimble enough next year to be able to allow them to fish that second year, without having to go through a whole different proposal.

CHAIRMAN GARY: All right so we have a motion there, any last comments or suggestions? Chris.

MR. BASTSAVAGE: I understand and appreciate the Board's concerns, just with allowing these kinds of activities with glass eels, due to how valuable they are, and just keeping track of them. But I kind of feel like this motion rewrites the plan significantly. They wanted to do a fishing year to where they are fishing continuously from November through March.

I don't think they contemplated having a multi-month break between March and November in their fishing activity. I think for all practical purposes, this motion would give them three months to fish, as Chris Wright indicated. We come back and report to the Board the activities, in May or August, and then I guess that would maybe let them start fishing again in November, assuming that they could go November to March, or this plan to be approved for just a January through March fishing year, which is two months less than what they were doing in the previous plan. I can't support the motion. I think it's ventured too far away from what the American Eel Farm proposed, what we thought would be workable.

CHAIRMAN GARY: Maureen Davidson.

MS. MAUREEN DAVIDSON: In light of what Chris just said that we're sort of taking away some of their planned fishing. I would like to ask if it's possible, since the proposal from

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North Carolina expired May 30, would we be able to have your new proposal start November 1, so that you would be able to fish November and December in 2019.

Then the plan would include the fishing that would happen from January through March, and then we could decide what we would do with November 2020 through March of 2021. But at least for the first year we could try and prevent them from losing November through December, by just changing the date of when your proposal starts.

CHAIRMAN GARY: Chris, does that help you?

MR. BATSAVAGE: If I understand correctly, the proposal starts November right now for 2019, if the plan that we submitted was approved. It already was November through March, so it was a two-year plan, November 2019 to March 2020, and then November 2020 to March 2021. This motion would not allow the November part of that. It would really just; it makes it for all practical purposes be January through March, unless I'm misunderstanding what you're asking.

CHAIRMAN GARY: We're really trying our best to provide the flexibility that they're requesting, but finding it's an incredible challenge. Unless somebody can solve this and bust this riddle, I've got Adam and then Lynn. Please, let's see if we can get through this and move forward in one way, shape or another form.

MR. NOWALSKY: When I think of the time that we've put into this now, and the potential that it was 600 pounds of glass eels over the last three years. We're contemplating another two years. That's 1,000 pounds of glass eels. There are probably people out there in the audience thinking, wow; the economic value I could have provided with this if you had given them to me instead.

Clearly we're struggling with concerns about these proposals, about the way this company

has conducted business. I would ask North Carolina at this point, if we move to postpone this decision today, do they think they could go back, discuss these concerns with the company, and perhaps bring another proposal back to us that we could take up at the Annual Meeting for 2020 and beyond. That would be a way I would look to move forward at this point.

CHAIRMAN GARY: Chris.

MR. BATSAVAGE: I guess either the plan; yes if it was postponed then yes we would talk to staff, and then meet back up with the folks in the American Eel Farm and see what they want to do. I mean I guess that is an option, because I think the concerns expressed by the Board are pretty clear, at least what they proposed just doesn't sit well with many. If that is what the Board wants to do, we can go back to the American Eel Farm and see if they want to put in something that maybe eases some concerns in time for the annual meeting.

CHAIRMAN GARY: If that's the pleasure of the Board, we would need a motion to that extent. Kirby, could you please clarify?

MR. ROOTES-MURDY: Yes, just so the Board is aware. The language in Addendum IV says that aquaculture plans must be submitted by June 1 of the proceeding fishing year, and approval must be determined by the Board by September 1.

CHAIRMAN GARY: Roy Miller.

**MR. MILLER: Mr. Chairman, with the Board's indulgence I would like to offer a substitute motion that I hope clears this matter up. Move to approve North Carolina's aquaculture proposal to harvest up to 200 pounds in the 2020 to 2021 fishing season, (Nov 1, 2020-March 31, 2021). Eels harvested will be grown out to the yellow eel life stage (minimum size 9").**

CHAIRMAN GARY: Wait to get that up.

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MR. ROOTES-MURDY: Roy, can you just clarify again what the dates are in the fishing year?

MR. MILLER: All right, my colleagues say they want to start this November, so the dates would change to 2019 to 2020, instead of 2020 to 2021, and it would start November 1, 2019 to March 31, 2020.

CHAIRMAN GARY: We have a second by Pat Keliher. Okay we have a motion on the table, is there a discussion, brief one? Cheri Patterson.

MS. PATTERSON: I'm just questioning whether that fits the Addendum that's my only concern is the Addendum indicates calendar year, I believe, and now it's changing to fishing year? No?

MR. ROOTES-MURDY: No. As I mentioned earlier in my presentation, it doesn't specify calendar year. It speaks to annually.

CHAIRMAN GARY: Go with Ray Kane, then Emerson Hasbrouck and then Chris.

MR. KANE: We have the understanding that North Carolina will be able to come back to us a year from now at the August meeting with a report on the November 1, '19 to March 31, 2020, right?

CHAIRMAN GARY: Ray, I'm sorry. Could you say it just one more time? By what point in time were you saying the report come back?

MR. KANE: This time next year.

CHAIRMAN GARY: Okay, confirmed. We'll go to Emerson Hasbrouck.

MR. HASBROUCK: I have no problems with the substitute motion. But my concern goes back to an issue I raised, I don't know how long ago, half an hour ago. Maybe I'm the only one who's concerned here. We say here, we said it with Maine that they will be grown out to the yellow eel life stage.

What happens if there is a mortality event, total or partial, and they're not grown out to that life stage? That is the first part of my question. The second part is did anybody in North Carolina verify that there was a complete die-off in those 13.8 pounds or whatever it was, it did in fact die?

CHAIRMAN GARY: I thought Chris had mentioned law enforcement did verify that mortality event. Chris Wright.

MR. WRIGHT: My question was answered in the previous one.

CHAIRMAN GRAY: Roy Miller.

**MR. MILLER: Mr. Chairman, I would like to just clean up the motion a little bit. In the second line I would insert the word for between proposal and up, so it reads proposal for up to 200 pounds for and strike the second there, for 2019 to 2020. I think that cleans it up, thank you.**

CHAIRMAN GRAY: Acceptable to the seconder, Pat, any further discussion? Pat.

MR. KELIHER: Mr. Chairman, I just want the record to reflect that this Board does have the ability to revisit this after we report back next year and change our mind in regards to the second year if need be.

CHAIRMAN GARY: Kirby is confirming.

MR. ROOTES-MURDY: Just to clarify, Pat. The motion currently on the board is only for a one-year proposal.

CHAIRMAN GARY: Adam Nowalsky.

MR. NOWALSKY: Where does this motion leave the TC recommendations?

CHAIRMAN GARY: Kirby.

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MR. ROOTES-MURDY: I guess the question is really to the makers of the motion. If you want to make it clear on the record that your motion is encompassing that then we can make sure that language is in this, but if you want to just speak to it and make sure that it's inclusive of Technical Committee recommendations, I think this Board has discussed this enough to clarify that that is of interest to this Board.

He's the Commission's newest staff member. He is working on summer flounder, scup, bluefish, winter flounder, and northern shrimp. If you get a chance just to come say hello this week and welcome him to the Commission family. He started in July but this is his first full week of Commission meeting week fun, and this was a great meeting to introduce him to motion taking. Thank you.

CHAIRMAN GARY: Roy, do you want to add that language?

(Whereupon the meeting adjourned at 2:50 o'clock p.m. on August 6, 2019)

MR. MILLER: Yes, we could add that language.

CHAIRMAN GARY: Consistent with the Technical Committee's recommendations.

MR. MILLER: Yes.

CHAIRMAN GARY: All right we're going to go ahead and call the question. **I'll go ahead and read the motion in. Move to substitute to approve North Carolina's aquaculture proposal for up to 200 pounds for 2019-2020 (Nov 1, 2019-March 31, 2020) consistent with the Technical Committee's recommendations. Eels harvested will be grown out to the yellow eel life stage (minimum 9"), motion by Mr. Miller, second by Mr. Keliher.**

**All those in favor please raise your hand, opposed, abstentions, and null votes. The motion passes 16, 0, 1.** Thank you all. We've run over, but is there any other business. We're all looking to make sure it gets done. **All right is there any objection to the main motion? Seeing none, it passes by consent.**

**ADJOURNMENT**

CHAIRMAN GARY: **Is there any other business to bring before the Board? Seeing none, this meeting is adjourned.**

MS. KERNS: Before everybody goes away really quick. I just want to introduce Dustin Colson Leaning; he is here at the front of the table.