

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

**August 17, 2005
Radisson Hotel Old Towne
Alexandria, Virginia**

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ATTENDANCE

Board Members

Lew Flagg, Maine DMR	Erling Berg, New Jersey Gov. Apptee.
Sen. Dennis Damon, Maine	Eugene Kray, proxy for Rep. Schroeder (PA)
John Nelson, New Hampshire F&G	Roy Miller, Delaware DFW
Dennis Abbott, proxy for Rep. Blanchard (NH)	Bernard Pankowski, proxy for Sen. Venables (DE)
Ritchie White, New Hampshire Gov. Apptee.	Howard King, Maryland DNR
Dan McKiernan, Massachusetts DMF	Russell Dize, proxy for Sen. Colburn (MD)
Vito Calomo, proxy for Rep. Verga (MA)	Jon Siemien, DC F&WD
William Adler, Massachusetts Gov. Apptee.	A.C. Carpenter, PRFC
Mark Gibson, Rhode Island DEM	Jack Travelstead, Virginia MRC
Gil Pope, proxy for Rep. Naughton (RI)	Kelly Place, proxy for Sen. Chichester (VA)
Everett Petronio, Rhode Island Gov. Apptee.	Preston Pate, North Carolina DMF
Eric Smith, Connecticut DEP	Damon Tatem, North Carolina Gov. Apptee.
Sen. George Gunther, Connecticut Leg. Apptee.	Robert Boyles, proxy for Sen. Drummond (SC)
Lance Stewart, Connecticut Gov. Apptee.	John Duren, South Carolina Gov. Apptee.
Gordon Colvin, Chair , New York DEC	Spud Woodward, Georgia CRD
Brian Culhane, proxy for Sen. Johnson (NY)	Gil McRae, Florida MFC
Pat Augustine, New York Gov. Apptee.	Tom Meyer, NMFS
Bruce Freeman, New Jersey DFG&W	David Perkins, US FWS
Ed Goldman, proxy for Assemblyman Smith (NJ)	

Ex-Officio Members

Joe Fessenden, LEC Representative

ASMFC Staff

Julie Nygard

Bob Beal

Lydia Munger

Guests

Bob Evans	Barry Kratchman	Mark Bryer	Steve Minkkinen
Mary Pfaffko	Jimmy Trossbach	Bill Windley	Steve Meyers
Michael Doebly	Bill Legg	Eric Buehl	Joseph Smith
Tom McCloy	George Koonce	Anne Lange	Nick Crismale
George Lapointe	Alexis Blanchard	Jake Kritzer	Bart Mansi
Dan Dugan	Steve Heins	Bennie Williams	
Peter Rowe	George Schuler	Wilson Laney	

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

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MOTIONS

Move to proceed with the adoption of an addendum that would require the states to implement a harvest, catch and effort data collection system consistent with the recommendation of the Technical Committee.

Motion made by Mr. Carpenter, second by Mr. Augustine. Motion carries.

Move to approve the nominations of Mr. Buehl, Mr. Legg and Dr. Kritzer to the Advisory Panel.

Motion made by Mr. Augustine, second by Dr. Kray. Motion carries.

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**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

**AMERICAN EEL MANAGEMENT
BOARD**

**Radisson Hotel Old Towne
Alexandria, Virginia**

AUGUST 17, 2005

The American Eel Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Suite of the Radisson Hotel Old Town, Alexandria, Virginia, August 17, 2005, and was called to order at 9:30 o'clock a.m. by Chairman Gordon C. Colvin.

WELCOME & INTRODUCTIONS

CHAIRMAN GORDON C. COLVIN: Good morning, everyone. I'd like to welcome everyone to the meeting of the American Eel Management Board. There are copies of the agenda and the handouts on the table in the back of the room, as well as in the briefing CD for board members.

BOARD CONSENT

I would like to first refer to the draft agenda. Let me ask, first, are there any board members who wish to add items to the agenda? The chair would like to suggest a slight change in the order of the items as they appear on the agenda.

What I would like to propose is that we take Items 5 and 6 immediately following Agenda Item 3 and then move the review of the comment on the Public Information Document, Item 4, to follow Item 6. Is there objection to proceeding with the agenda as so modified? Without objection.

The next action item on the agenda is the proceedings from the May 10th, 2005, board meeting. Mr. Augustine.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman. I move that we accept the proceedings from the May 10th, 2005, board meeting.

CHAIRMAN COLVIN: Seconded by Mr. Nelson. Is there objection to the motion? Without objection, the motion carries.

The next item on the agenda is public comment. We will be pleased to take comment from members of the public or our guests at this time.

PUBLIC COMMENT

Before I call for public comment, however, I would like to make one note, and that is that I would request that public comment on issues that are on the agenda, including any comment on the Public Information Document, be held until that time on the agenda when those items actually appear.

With that request, is there any public comment on any other issue at this time? Seeing none, we'll proceed with Item 5 on the agenda, the review and anticipated approval of stock assessment timeline. Lydia.

**REVIEW AND APPROVAL OF THE
STOCK ASSESSMENT TIMELINE**

MS. LYDIA MUNGER: Thank you, Mr. Chairman. The graphical version of the stock assessment timeline was distributed in the Briefing Book CD. There is a version in words on the slide in front of you.

But, just to review the timeline quickly, the data workshop for the American eel stock

assessment took place in May 2005, and the assessment workshop is taking place actually next week, August 2005; with anticipated technical committee review of the stock assessment in September or October of 2005; and the peer review, hopefully, in November or December of this year, but possibly in January 2006. Either way, the board review of the assessment would take place in the first board meeting of 2006.

CHAIRMAN COLVIN: Are there any questions with respect to that timeline? The implications are that we'll have a peer-reviewed stock assessment around the end of this year presented to the board next February.

I think that schedule and that sequencing will have relevance to our discussions later on our deliberations with respect to actions on the PID.

Without any further questions or comments on Item 5, shall we proceed to Agenda Item 6, and let me return to representatives of the federal government. I believe, David, you're going to give us an update. Thank you, David Perkins.

UPDATE ON FEDERAL EEL STATUS REVIEW AND ESA PETITION

MR. DAVID PERKINS: The material that was passed out as part of the briefing documents, most of the information you will find there. The 90-day finding was published in early July; and that was positive, that there was enough information to go forward with a formal status review, so that is underway.

The next steps for that process is there will be three workshops held to cover different geographic regions, the Atlantic Coast Islands, the Great Lakes/St. Lawrence Area, and then the Gulf/Mississippi watershed.

Those will be the three workshops. Those workshops will look to bring together both experts on eel biology as well as experts on the potential threats and to try to provide vetting of information.

Those three workshops will be wrapped up with a final workshop, which will be more of a threats assessment, status assessment, which will try to combine all those pieces of information and will ultimately then lead to the final status determination.

The first workshop that we will be having is November 30th through December 2nd. That will be in the Fish and Wildlife Service National Conservation Training Center in Shepherd's Town, West Virginia. I don't have dates for the other two workshops yet. I think that's all, Mr. Chairman.

CHAIRMAN COLVIN: Thank you, David. Are there any questions for David? Did you want to make reference to the letter that's going around now, David?

MR. PERKINS: We have been in touch with the various commissions, the Atlantic States, the Gulf, and the Great Lakes Commission, looking for their assistance in helping to conduct these workshops.

I think there will be follow-up phone calls and conversations as to what the extent of that assistance will be. Certainly, we'll be looking for some of the states and the various parties to support the involvement of their experts at some of these workshops. That's it.

CHAIRMAN COLVIN: Thank you. I note that the letter requests Commission Chairman Pate ensure that a representative of the commission would be involved in the upcoming workshops.

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I presume that the board would have no difficulty assuring that such representation occurs potentially involving staff and/or the technical committee of the board. Seeing no objection, I think we can convey that recommendation to Chairman Pate. Bruce Freeman.

MR. BRUCE FREEMAN: Just a clarification. You mentioned there are three workshops. Does that one covering the Atlantic coast; is there going to be one workshop to cover the entire Atlantic coast?

MR. PERKINS: That's correct.

MR. FREEMAN: And what islands are referenced?

MR. PERKINS: I think the offshore islands off Massachusetts and so forth, but essentially the whole coast.

CHAIRMAN COLVIN: Preston Pate.

MR. PRESTON PATE, JR.: David, have you formed a Status Review Team?

MR. PERKINS: There is a joint committee that's been formed from the U.S. Fish and Wildlife Service and National Marine Fisheries Service. I am not sure if this is going to be more of a further Status Review Team or not.

MR. PATE: The reason I'm curious is the limited experience that I have in dealing with ESA listings have been the recent listing of the eastern oyster, and NMFS put together a status review team and solicited nominations for membership to that team, and I just couldn't remember getting the same solicitation or similar solicitation for the eel.

MR. TOM MEYERS: We have formed a team, and we've had a conference

call to decide who was going to do what part of the work, so there is a team formed. Heather Bell from the Fish and Wildlife Service is the lead on it, and we're really happy to work with our federal partner in putting together a good review.

MR. PATE: But there's no state representation on the team?

MR. MEYERS: I'm not sure on that.

CHAIRMAN COLVIN: Are there any further questions with respect to the discussion on the status review? I think it's noteworthy that the status review is scheduled for completion early in 2006, a time frame that clearly coincides with the previously reported time frame for completion of the stock assessment peer review and presentation to the board.

Those things seem to be lining up more or less on the same time track, and I am sure that there will be an interchange of information between our stock assessment process and the status review. That's thoroughly expected and anticipated. Anything further on that?

Seeing nothing else on that subject, let us proceed, then, to a review of the public comment that we received on the hearings and the written public comments on our Public Information Document. Lydia.

**REVIEW PUBLIC COMMENT ON
THE PUBLIC INFORMATION
DOCUMENT**

MS. MUNGER: Thank you, Mr. Chairman. On the briefing book CD, the board received two items. One was a summary of the public hearings, and the other was a summary of the written comments, as well as a compilation of all the written comments that were received.

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I'm going to summarize each hearing, as well as the written comments, and do my best to keep it short. There were 13 public hearings held.

I have the comments for each hearing broken down by issue, as well as a section for general comments. One other thing I would like to add, before I get started with this, is that representatives from the Delaware Valley Fish Company attended each and every public hearing and made fairly similar comments, so I'm not going to repeat them with each summary, but just know that they're reflected in all the comments that you'll see before you.

The first was held in Washington, North Carolina, on April 13th, and 22 members of the public attended this hearing. From Washington, North Carolina, general comments were that eel should be managed on a state-by-state basis; that the market regulates the fishery, and if, for some reason, it's economically inefficient to fish for eels, people won't go fishing for them.

The suggestion was made to look into the Fishery Resource Grant Program in North Carolina to pay researchers, with fishermen to add young-of-the-year locations in North Carolina.

Issue 1 dealt with the recreational possession limit. For the first hearing, I'll summarize what the issues dealt with, and then I'll just move on. If you remember from the Public Information Document, the technical committee recommended a reduction in the recreational possession limit, and so the questions related to that.

So the comments in North Carolina reflected that changing the bag limit would have no conservation effect because the recreational fishery is currently so small, so the current possession limit is sufficient.

Issue 2 dealt with the silver eel fishery, and the question asked of the public was if they felt a closure of the silver eel fishery was necessary. All members of the public present in North Carolina favored a closure of the directed silver eel fishery. They noted that silver eels are not caught in baited pots, which is the majority of the fishery in North Carolina.

Issue 3 dealt with seasonal closures; and if you remember, the technical committee recommended a closure for 90 days in the fall to coincide with the silver eel migration. Those closures, as proposed by the technical committee, were not supported at the hearing in North Carolina.

It was noted that if a closure was necessary, it should take place during the summer when it's the hottest, and the eels that are being kept for sale don't survive as much.

Issue 4 dealt with the collection of catch-and-effort data. The questions for the public here were do they think that the collection of more accurate catch-and-effort data was necessary, and did they think a permit was the most accurate way to collect this information.

It was noted that North Carolina already has trip level reporting with the trip ticket program; although some members of the public thought that a separate trip ticket for eels might work. It was noted that the commission needs to focus efforts on education for the public on the importance of accurate reporting.

Issue 5 dealt with habitat. This was just a question of what does the public see as the major habitat issues, and do they have any recommendations for addressing these issues.

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It was noted that poor water quality often prevents recruitment into various river systems along the coast. Hydropower facilities were listed as a concern in North Carolina and in many other hearings. It was noted that habitat is probably a larger factor in eel declines than fishing.

Issue 6 dealt with predation; again, asking the public for what they saw as predation issues and if they had any recommendations. Many members present at the North Carolina hearing suggested diverting funding from striped bass work to conservation of other species.

Issue 7 dealt with conservation measures, and the question asked of the public here was recommending conservation measures that they saw as helpful should conservation be determined necessary by the assessment. So, suggestions here in North Carolina were increasing the size limit, minimum size limit, increasing the pot mesh size coastwide, implementing eel passage coastwide, and also putting out observers to monitor the eel fishery.

Issue 8 dealt with traditional uses, identifying whether the public felt that various uses of eels were appropriate uses of the resource, such as human consumption and used as bait in other fisheries.

There were also questions under this issue that asked the public if they thought that a moratorium on fishing would help restore the resource. In North Carolina, the consensus at the hearing was that stopping fishing completely would not bring back the eel resource.

The next hearing was in Portland, Maine. There were seven members of the public in attendance. The general comments were along the lines of eel populations have been declining over the last 50 years.

For Issue 1, the recreational possession limit; it was noted that no possession limit is necessary. In Maine people tend to buy around a dozen eels for a day of fishing but that 25 is probably the maximum that they would buy. Changing the bag limit would not change how people purchase or use eels for bait in Maine.

Issue 2, the silver eel fishery; the suggestion was made to eliminate directed silver eel fishing, so that would include weirs and fyke nets. The suggestion was made that if the weir fishery continues, that restrictions should be placed on it.

Issue 3 dealt with seasonal closures. The consensus at the meeting was that the closure recommended by the technical committee is inappropriate.

Issue 4 dealt with catch-and-effort data. The consensus was that reporting effort is an easy addition to catch reporting and would not be difficult to implement in Maine.

Issue 5 dealt with habitat. Some members of the public at the hearing thought that dams don't stop eels from moving upstream; that they can easily get around obstructions like dams.

It was noted that poor water quality in historical times caused unnatural peaks in the population; and that now that the water quality has improved, the population is just back to natural levels; it's not actually declined. It was noted that downstream passage is not addressed in the current management plan and should be addressed in the future.

Issue 6, predation; it was noted that predation on eels is not distributed evenly across all life stages. Predation is more significant in the elver and yellow eel life stages.

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Issue 7, conservation measures; there were a number of different measures suggested, including a maximum size limit of 16 inches, minimum size limits at 12 and 14 inches, a slot limit between 12 and 16 inches. It was suggested that mandatory days off be taken each week, possibly using a vent on a trap that could be opened for a couple of days a week.

Issue 8, traditional uses; the consensus at the meeting was that there's no reason for the U.S. to produce food eels; and that glass eel and bait fishery should be protected. It was also noted the public at this meeting didn't think that management decisions should be based on the end use of the resource.

The hearing in Newport News, Virginia, on April 18th had three members of the public in attendance. General comments were that fewer fishermen in general are harvesting eels.

Issue 1, the recreational fishery is not thought to be a factor affecting eel stocks.

Issue 2, the thought at this meeting was that silver eels should not be targeted for harvest.

Issue 3, seasonal closures; the comments at this meeting relayed that seasonal closures are unnecessary; and that if any closures were to be implemented, they should take place during the 30 hottest days of the summer and not during the fall months as recommended by the technical committee.

Issue 4, catch-and-effort data; the thought here was that the bait shops should have a dealer license.

Issue 5, habitat; it was noted that the U.S. has a lower heavy metal and PCV concentration standards than Europe.

Issue 6 dealt with predation, and the thought at this meeting was increasing the catch of

striped bass and the non-native blue catfish might be helpful for eels in terms of predation.

Conservation measures suggested included an increase to one-half by one-inch mesh in eel pots coastwide. In some places the mesh size is smaller than that. A suggestion was made for a two-year grace period before the mesh size increase, because that's how long it would take for fishermen to normally replace most of their gear. The suggestion was made for a 14-inch minimum size limit.

Issue 8, traditional uses; the comments here reflected that there should be no restriction on the end use of a caught eel.

The hearing in Gloucester, Massachusetts, on April 19th had five members of the public in attendance. General comments here were that only 12 eelers reported landings in Massachusetts in 2003, which is down significantly from historical numbers; and that conservation equivalency should be included in any changes to the fishery management plan.

The recreational possession limit issue; the comments here were that the number of eels affected by this issue is minimal, and that a recreational possession limit is not needed due to the small size of the recreational sector of the fishery.

Issue 2, silver eel fishery; it was stated that this issue should not be addressed until after the stock assessment.

Issue 3, dealing with seasonal closures; it was noted that in Canada the last two outgoing tides of silver eels are protected and perhaps this measure would work in the United States. The closure recommended by the technical committee is too extreme.

Issue 4, catch-and-effort data; it was noted that not all transactions are recorded. The

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comment here reflected that some of the smaller dealers may not record all their transactions. It was noted that collection of effort data along with catch should be a given coastwide.

Issue 5, habitat; it was thought that upstream and downstream passages is a very important issue for eels, and that temporary shut down of hydroelectric facilities may work for helping out with downstream passage.

Issue 6, dealing with predation; it was noted that growing populations of game fish, cormorants, green crabs, all of these were thought to be threats to eel stocks.

A number of conservation measures were suggested at this hearing as well, including improving upstream access. It was thought that eel fishing should be regulated at each life stage. It might be worthwhile to crease the minimum size limit. The suggestion was made to move to one-half inch by one-inch mesh size coastwide on eel traps.

Issue 8, traditional uses; the consensus at this meeting was that reducing the take of eels would not help rebuild the eel resource.

On April 20th, the hearing in Old Lyme, Connecticut, had 24 members of the public in attendance. The general comments here were that the population of eels is probably shifting location and is not in as much trouble as people think it is; that surveys just may not be reflecting this shift in location of the eels.

Issue 1, the recreational possession limit; the consensus of this meeting was that the bag limit should remain the same and that a harvest limit would be more effective than a bag limit in regulating the recreational catch.

The silver eel fishery; the comments here were that the directed silver eel fishery

should be closed; and perhaps instead of just closing the fishery as is, you could place a moratorium on new entrants, but allow existing participants to continue in the silver eel fishery.

Issue 3, dealing with seasonal closures; a specific silver eel closure was preferred instead of a seasonal closure for all life stages as was recommended by the technical committee. The suggestion was also made to close the fishery for just one week at the end of the silver eel migration each year to allow some of the silver eels to escape.

Issue 4, dealing with catch-and-effort data; it was thought that the current reporting system in Connecticut is too complicated; that permits are critical for the commercial sector, but would not work well for the recreational sector; and that the destination or end use of eels should be reported along with catch-and-effort data.

Issue 5, habitat; factors listed for habitat declining included hydropower facilities, pollution, coastal development and changes with ocean currents; and all these were thought to be problematic for eel stocks.

Predation; suggestions were to increase effort to rebuild other prey species to take the pressure off of eels. The suggestion was made to decrease the striped bass minimum size limit to 24 inches.

Conservation measures suggested included increasing the minimum size limit -- one suggestion was a 12-inch minimum size -- closing all remaining glass eel fisheries, implementing a maximum size to protect silver eels or mature yellow eels, implementing gear restrictions, limiting entry into the eel fishery, and implementing a slot limit.

Traditional uses; the thought at the Connecticut hearing was prohibiting the

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take of American eel would not help rebuilding of the eel resource; and that using eels as bait is an appropriate use of the resource.

Bangor, Maine, on April 21st, had six members of the public in attendance. All the comments received at this hearing were specific to one of the issues.

Issue 1, the recreational possession limit; the important comment here was that exceptions are needed for commercial harvesters and bait dealers who often possess more than 50 eels at a time.

Issue 2, the silver eel fishery; the thought at this hearing was that the silver eel fishery should not be prohibited.

Issue 3, seasonal closures; the thought at this hearing was to leave the eel pot fishery open, especially in May, June and July; and that August, September and October would be the best time for a closure in this part of Maine.

Issue 4, dealing with catch-and-effort data; there was strong support for improving reporting of catch-and-effort data along the coast. The thought here was that mandatory reporting for both dealers and harvesters should be a condition for license or permit renewal each year.

Issue 5, habitat; upstream and downstream passage is essential to rebuilding.

The comments on predation; one important comment was the commission should attempt to estimate mortality from predation by aquatic birds.

Conservation measures suggested included biodegradable escape panels in eel traps and a moratorium on additional participants in the elver fishery.

Traditional uses; the comments here reflected that more research is needed to determine the impact of current harvest levels on the stock before a determination can be made on whether any one use is more appropriate than another.

Narragansett, Rhode Island, on April 21st, had 13 members of the public in attendance. The biggest general set of comments at this hearing was that public education is needed for identification of life stages. If, for some reason, the possession of that life stage is to be prohibited, people need to know how to identify it, especially with the silver eel life stage.

The recreational possession limit; it was noted that just a small percentage of fishermen actually catch the eels they use as bait. The majority of them actually purchase their eels from bait dealers.

A harvest limit was preferred over a possession limit in part for the reason that most people do purchase their bait eels. An exception should be made for charter boats because employees of charter boat companies often pick up enough eels for all their fares for the day, so they'll have more than 50 in their possession at any one time.

The silver eel fishery; it was thought that silver eels should be protected through prohibition on possession instead of a seasonal closure, but that silver eels should be protected.

Seasonal closures, Issue 3; the thought at the Rhode Island hearing was that no seasonal closure should be implemented; or, if a seasonal closure must be implemented, that the commission should choose a desired length of the closure and allow the states to determine when to apply that closure. The general thought at this hearing was that harvest limits would be more effective than seasonal closures in conserving the resource.

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Catch-and-effort data, Issue 4; it was noted at this hearing that requiring a license for anyone who catches an eel is probably unrealistic, and that the recreational sector should not have any additional reporting requirements than what is already required.

Issue 5, habitat; coastal development was listed as one of the top causes of habitat loss at this hearing. The suggestion was made to shut down turbines for the top five nights per year of silver eel out-migration, so these shutdowns would be at night of hydropower facilities to allow silver eels to escape.

Issue 6, predation; it's noted that there are cormorant populations now than in the past; and the lack of other forage fish has increased the pressure on eels.

Conservation measures suggested included that glass eels should be regulated, but still allowed to be caught. Increasing the minimum size was suggested. A couple of options suggested included eight inches and ten inches for a minimum size.

For traditional uses, the comments reflected that the use of eels as bait is appropriate.

Colonial Beach, Virginia, was the location for the Potomac River Fisheries Commission hearing that took place on May 4th, 2005, and there were nine members of the public in attendance. All the comments at this hearing were specific to one of the issues.

Issue 1, dealing with the recreational possession limit; the consensus at this meeting was that there's no need to change the possession limit, and that harvest limits would be more useful for regulating the recreational fishery.

Issue 2, the silver eel fishery; the consensus at this meeting was that the silver eel fishery should not be closed.

Issue 3, seasonal closures; the closure as recommended by the technical committee was opposed by all members at the PRFC hearing.

The recommendation for improving the collection of catch-and-effort data was highly supported at this meeting. Upstream and downstream passage were listed as the most important habitat issues.

The concern under the predation issue was non-native predators. The thought is that the increase of non-native predators is causing additional predation pressure on American eel.

Conservation measures suggested included a limited entry fishery and increasing the minimum size. One suggestion for that was to eight inches.

Traditional uses; it was noted that economics should take care of this issue, and that's not an issue for management to be concerned with.

In Absecon, New Jersey, on May 5th, there were 13 members of the public in attendance. General comments at this hearing were that the commission should increase education about eels, and that the stock assessment and peer review process should include dealers and harvesters.

Issue 1, the recreational possession limit; it was stated that the existing possession limit needs to be clarified because at this time, since many people purchase a number of eels at a time and keep them for weeks or months or the season, many people are in fact in possession of more than 50 eels at a time for use as bait during fishing. But, it

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was thought that the possession limit should not be changed or at least not reduced.

The silver eel fishery; it was noted that closing the silver eel fisheries would put a number of people out of business.

Seasonal closures, Issue 3; no seasonal closure was recommended for the protection of silver eels.

For Issue 4, catch-and-effort data; the thought at this meeting is that it's better to obtain this information from dealers than it is to obtain it from harvesters. For the recreational sector, a voluntary angler survey was thought to be preferable to a recreational license.

For Issue 5, habitat; the thought at the New Jersey hearing was that no management changes should be made until habitat is improved; that the condition of the Sargasso Sea should be evaluated because that is thought to be the spawning site of American eel; and that hydropower and cooling facilities should have to annually document the number of eels entrained and impinged each year and submit this information to the commission.

For predation, there were recommendations made for cormorant management.

The main conservation measures suggested at this hearing was an increase in mesh size for eel traps to one-half inch by one inch coastwide. It was thought that management should be directed where the problem exists; meaning don't necessarily regulate the recreational sector, which is a small portion of the fishery.

Annapolis, Maryland, on May 16th; that hearing had 28 members of the public in attendance. General comments were that eels are migratory, so that surveys may not reflect accurately the population status of

eels; and that the Eel Board should reach out to commercial fishermen for collection of data for the stock assessment.

Issue 1, the recreational possession limit; the consensus at this hearing was that the possession limit should not be changed for the recreational fishery.

For Issue 2, the silver eels; it was thought that the silver eel fishery in the U.S. is not big enough to have an impact on eel stocks.

Seasonal closures; the thought at the Maryland hearing was that seasonal closures could not possibly be applied equally to all states because of differences in length of fishing seasons due to weather. For instance, up north the fishing season is shorter.

Issue 4, catch-and-effort data; in Maryland, at least, many harvesters report the numbers of eels caught each week when they sell the eels and not daily as they catch them. It was thought that the eel reports in Maryland should include effort information, which members at the hearing reported that's not currently included.

Habitat, Issue 5; it was noted that the declines in eel population are caused by habitat and not by overfishing.

Issue 6, predation; striped bass and bluefish were listed as the most important eel predators.

Conservation measures suggested included limited entry and closing the season in August. It was stated that increasing the mesh size, especially to one-half inch by one inch, would end the bait eel market because it would not allow that optimum bait size eel to be caught.

Issue 8, traditional uses; it was noted that eels are needed as bait for the crab fishery, so this is an appropriate use of the resource.

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The hearing in Dover, Delaware, was on May 17th, 2005. There were 14 members of the public in attendance. General comments included the lack of horseshoe crabs available to use as bait for eels has already decreased the number of eel fishermen.

Issue 1, the recreational possession limit; the consensus at this hearing was that the possession limit should not change, and that most people actually purchase their bait eels.

The silver eel fishery, Issue 2; it was noted that silver eels are not caught in baited pots, so that the trap fishery is the predominant gear type and doesn't target silver eels, anyway.

Issue 3, seasonal closures; the consensus was that there should not be a seasonal closure.

Catch-end-effort data; it was noted that Delaware does have mandatory reporting, but members of the public thought that not all eelers do turn in their data. It was also noted that many eelers don't have the information to determine what life stage an eel is, so education would be needed in this aspect.

Issue 5, habitat; habitat loss and degradation was seen as the single largest threat to eels, bigger than fishing pressure.

Issue 6; there were no comments provided on predation.

Conservation measures suggested included increasing the minimum size, and some suggestions at the hearing were eight inches, ten inches and twelve inches for a minimum size.

Issue 8, traditional uses; the consensus at the hearing was that the eel resource would

probably not be rebuilt by a coast-wide prohibition on take.

May 18th was the hearing in Narrowsburg, New York, and there were 15 members of the public in attendance. All comments received were specific to the issues.

Issue 1; it was stated at this hearing that the current possession limit for the recreational fishery is fair.

For the silver eel fishery, it was thought that no restrictions should be placed on the silver eel fishery.

Seasonal closures; there was no support for seasonal closures at this hearing in New York. Alternatives were suggested, such as weekend closures or releasing all eels over a certain weight. The weight that was suggested was three pounds.

Catch-and-effort data; it was thought at this hearing that recreational harvesters should not be included under this issue, so there should not be a recreational permit and reporting requirement.

Issue 5, habitat; it was noted that fish passage should be addressed during hydropower facility relicensing, and that public education is needed on habitat.

For predation, there was concern at this hearing regarding cormorant populations.

Conservation measures suggested included a slot limit. One suggestion was all eels between six inches and three pounds could be caught, and anything else would have to be released. There was suggested limited entry to the fishery. Gear restrictions were suggested, and it was noted that these should be uniform coastwide, and that management should respect traditional fishing practices.

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Issue 8, traditional uses; it was thought at this hearing that the use of eels as bait may not be an appropriate use of the resource.

The last hearing took place in East Setauket, New York, on May 19th, and there were 15 members of the public in attendance. Generally, it was noted that horseshoe crab regulations may have already put eel traps and pot fishermen out of business.

The recreational possession limit should be re-evaluated, according to the members attending this hearing.

For the silver eel fishery, it was thought that silver eel fishermen don't catch enough eels to have an impact on the population, so this sector should not be regulated.

Seasonal closures; it was thought at this hearing that no seasonal closures should be implemented; and that if a seasonal closure were implemented, that the fall months are the worse time of year to implement such a closure.

Catch-and-effort data; it was noted that in New York eelers report through vessel trip reports, and that these reports are completed when eels are sold; not necessarily each day, but perhaps once a week or so, whenever the eels are sold.

Habitat; it was noted that the loss of eel grass is an important habitat issue.

For predation, the comments reflected that the ASMFC should move toward multi-species management.

Conservation measures suggested included discontinuing the harvest of glass eels. It was noted that various limits and restrictions would be acceptable as long as there are no closures; and that it's better control effort than possession for the eel fishery.

Traditional uses; data are needed on what percentage of eels are used for food versus those as bait before any determinations can be made on this.

And then, finally, a quick summary of the written public comments. Comments were accepted through June 10th, 2005, and there were 52 written comments received from the public.

General comments were that changes to management should not be made until we have a completed peer-reviewed stock assessment; that the commission should focus on data collection before making any other management or fishing restriction related changes to the fishery management plan; and that the commission should evaluate all potential causes of eel population declines and not just fishing.

Comments for Issue 1; there were eight comments that thought people who use eels as bait purchase them from bait dealers rather than catching the eels themselves. Four people suggested reducing the possession limit to 25 eels per person per day. Three suggested that harvest limits would be more useful than possession limits. Two suggested that the commission consider allowing possession of a larger number of eels by charter boats.

The silver eel fishery; nine comments reflected that all directed silver eel fisheries should be closed. Two comments noted that silver eel fisheries should only be closed if the assessment reveals a downward trend in the eel population. There was a comment that regulations should respect traditions of local fisheries, but also making sure that overfishing is prevented at each life stage.

For seasonal closures; three comments thought that no seasonal closures should be implemented of any kind; and two thought that closures may be acceptable, but that the

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closure recommended by the technical committee is too extreme.

For Issue 4, catch-and-effort data; nine comments reflected that collection of more accurate catch-and-effort data should be required by all states. Five comments thought that a permit with mandatory reporting requirements is the way to go about collecting these data.

A number of habitat-related comments were received, including eight comments that habitat is the predominant cause of declining eel stocks, and that there are a number of habitat causes behind this, but that habitat loss and degradation overall is the biggest concern.

Three comments reflected that the Eel FMP should include protection for eel habitat. Five comments noted barriers to migration as the biggest habitat issue facing eels. Four comments encouraged removal of dams or appropriate passage at all dams blocking eel migration. Then two comments encouraged hydroelectric facilities to shut down the turbines at night while the silver eels are migrating. Then there were a number of additional comments that suggested research needs for the habitat section of the FMP.

For predation, there were a number of different concerns regarding things like invasive species, cormorants, striped bass, seagulls, other fish species, and mammals. Two comments did note that predation is not an issue that managers should be concerned with.

A number of conservation measures were suggested, and I have broken these out into type. First, we deal with size limits. A number of minimum size limits were suggested, 6 inches, 8, 9, 10, 12 and 14 inches. A number of maximum size limits were suggested, including 16 inches, 26 inches, and three pounds. Some comments reflected that size limits are actually not

useful since all mortality to eels is pre-spawning.

A number of gear restrictions were proposed, including biodegradable panels in eel traps, prohibition of weir fisheries, prohibition on use of pots in non-tidal areas, prohibition of use of pots by recreational fishermen, minimum coast-wide mesh size on traps, minimum distance between pieces of gear, and then also regulating the allowable span of nets across a body of water.

Harvest restrictions were also proposed under this issue, including things like a 500,000-pound cap on the commercial fishery, prohibition on all harvest of eels, prohibition on just the commercial harvest of eels. One suggestion was also made to evaluate harvest limits by river systems.

Other measures proposed included market incentives such tradable quotas, prohibition of export of one or more life stage, and that currently inactive fishing areas should be set aside for protection. In other words, if somebody is not fishing on a body of water now, they shouldn't be allowed to in the future; and also consideration for enhancement activities.

The last issue covered in written public comment; three comments reflected that human consumption is an appropriate use of the resource. Two comments were that both bait and human consumption are appropriate. Five comments were that bait is an inappropriate use of the resource.

Some comments thought that neither use is an obstacle to restoration. A couple of comments were received that reflected that management should focus on reducing mortality and not determining which sector should be responsible for conservation or which end use was appropriate.

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One comment noted that the commission should collect data on the percentage of harvest used for food versus that used for bait. That concludes the comment summary presentation at this time. Any questions?

CHAIRMAN COLVIN: Thank you, Lydia, take a breath, a drink of water. That was a very impressive and comprehensive summary, and I thank you, Lydia, for the work it took to put that together.

Let the chair make one observation before I entertain questions. I did have an opportunity to read all of the public comments that we received and all the public hearing summaries in detail this week, and I was extremely impressed with the quality, the constructiveness and the quantity of public comment we received on this PID.

It is most gratifying to reach out for public input on an important and challenging issue that we have with the management of eels, given how little we know and apparently knew about their status, their fisheries, their biology and the threats that face them.

And to receive the tremendous kind of public input that we got – at the same time, that input, of course, imposed a challenge. What we have is a lot of information to digest and to attempt to assimilate and organize in a way that supports decisions by the board and the commission. I think that's the next challenge that faces us.

Before we move on to a discussion of potential changes to the plan, which is the sub-item under this agenda item, I want to ask if there are any questions for Lydia or anyone else regarding the report we've just gotten on the public information document and comments?

No questions, good. See, that's because a thorough job was done. Bruce.

MR. FREEMAN: Lydia, you mentioned in the beginning that the representative from the Delaware Valley Fish Company attended each of the meetings and made similar comments. Were they included in here?

MS. MUNGER: Yes, Bruce, all the comments made by the Delaware Valley Fish Company were included in one hearing or another. I refrained from repeating them for each hearing because that would have made it that much longer. All their comments were reflected as far as I can tell.

CHAIRMAN COLVIN: Bruce, if I can, also there is a lengthy written comment from Delaware Valley in the summary of written comments, and I would encourage all the board members to -- I know you have a lot in front of you -- to read all of the written comments we got.

I say that because, again, I was so impressed with the quality. It's hard to get at the subtleties of some of the comments and rationale behind them in a summary given by staff. There were some very interesting comments, and I learned a lot reading, so I would encourage all to do it.

Actually, I would like to also commend many of the parties who submitted those comments, including Delaware Valley, for the thoughtfulness and the constructiveness of the suggestions made on ideas for the board to consider. There were some important issues in there that just can't get captured in the summary, that I hope the board members will be able to make themselves aware of.

**DISCUSSION OF POTENTIAL
CHANGES TO THE INTERSTATE
FISHERY MANAGEMENT PLAN FOR
AMERICAN EEL**

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The item here is to discuss potential changes to the management plan for American eel. Let me suggest to the board that we have a couple of different ways to go here. We have, as I suggested, a large body of as yet undigested comment that has not been filtered through a technical committee, an advisory panel or a plan development team.

So, one option that we have is to ask for that filter to be applied before we take further action and to suggest that our staff and the plan development team meet with the technical committee to review this public input; and with the expanded advisory panel based on action we'll take later in this meeting, to secure the advisors' input well; and then come back to the board with a digested set of recommendations on how we might proceed on these issues.

Another option is to see whether there is one or more issues that can be split off, and I'll suggest one that was immediately evident from the comment, and that is that it did appear to be essentially unanimous concurrence or agreement among all the commenters about the need to improve trip level reporting on eel harvest and effort that may or may not warrant more immediate attention for the development of a draft addendum.

An issue of that nature or another could, at the board's discretion, be presented directly to the PDT for further action and development.

The third action, and this is not mutually exclusive of the other two, is to also take such further action on a time frame that enables incorporation of the outcome of the pending stock assessment and status review to also be available to the board at the time of decision-making and to the other bodies that advise us.

So, with those suggestions, let me ask if there is comment from members of the board or suggestions from the members of the board on the direction we'd like to take? I'll recognize Chairman Pate first.

MR. PATE: Thank you, Gordon. First, let me say that I, like you, was very impressed with the quality and quantity of comments that we received on this proposal. We did something right on this one. We have experienced a lot of apathy, both in this forum and my professional dealings back home, and it was refreshing to see the amount of turnout and interest that we received on this plan.

You have touched on the role of the advisory panel and the technical committee in further deliberations on those comments. And listening to Lydia's very well-prepared presentation, I was struck with the technical nature and implications of many of the comments that were made, and certainly don't think that I'm prepared to have an opinion on many of the management issues without further analysis by the technical committee and their digestion of those comments into their recommendations.

I'm certainly in favor of referral of these comments and consideration of how they affect the proposed management measures back to those groups and can do that at some point in the form of a motion, if you like. I just state my preference for that part of the process. Thank you.

CHAIRMAN COLVIN: Thank you, Pres. Are there other board members? Lew Flagg.

MR. LEWIS FLAGG: Thank you, Mr. Chairman. I concur with Pres' comments. I think it would be very important to have the technical committee review the comments.

One of the things that I did notice, which just occurred to me, which I think is a striking omission in terms of one of the management measures that we might want to incorporate, and that is when we talk about effort reduction and the potential for reducing the season, we have no mention in the document at all about caps on amount of gear that an individual fisherman could use.

I think if in fact we're going to be looking at some sort of effort reduction in terms of a seasonal reduction, if we don't have any cap on gear, amounts of gear could be increased dramatically so that they could recoup a substantial amount of that effort reduction that we want to apply.

I think these kinds of issues will be brought forth by the technical committee, so I certainly concur that we should be looking to the technical committee for some advice and guidance. Thank you.

CHAIRMAN COLVIN: Thank you, Lew. I would also note that there were some individual comments from parties who contributed to our comment that did address the issue you raised, so I'm sure that the technical committee will see those comments and suggestions in their review. A.C.

MR. A.C. CARPENTER: Mr. Chairman, thank you very much. The upcoming stock assessment I think is going to be a key part of wherever we go with this, and I don't think we want to get ahead of that in terms of management measures just yet.

I do feel that you are correct in the data assessment or the data collection from the fisheries may very well appropriately be done by an addendum to the existing plan with a minimum level of information, because we're going to need that with or without any other piece of this pie.

DR. GENE KRAY: Thank you, Mr. Chairman. I would agree with what A.C. had said and also that -- and I'm sure where this goes, but when the technical committee starts looking at -- and I think this should probably be after the stock assessment -- look at minimum and maximum size limits of catch for the eel.

It's all over the place here. You know, it goes anywhere from six inches to sixteen inches, and what should be the minimum and what should be the maximum size limits of possession; if that's possible.

CHAIRMAN COLVIN: I have no doubt they will. I think the comments certainly suggest that both minimum and maximum should be looked at.

I don't see any other hands from the board. Let me suggest to the board, in response to Chairman Pate's comment that I don't think we need a motion specifically to charge our PDT, our technical committee and our advisory panel with reviewing these comments and getting back to us.

I do think that if there's desire to proceed, in the interim, for the development of an addendum that addresses reporting of catch-and-effort, that would require a motion.

Unless there's objection, then I think I would work with Lydia to frame a charge to the technical committee and the plan development team to work with the advisors to review these comments and develop recommendations to us for further action and to do so in the context and the consideration of the conclusions of the developing stock assessment. And unless I see objections to that course of action, and I do not, then I think that's how we'll proceed.

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If there is desire to act, A.C. or anyone else, sooner on the other issue, then we'd need a motion.

MR. CARPENTER: Mr. Chairman, I'd offer a motion to proceed with the adoption of an addendum that would require the states to implement a harvest catch-and-effort data collection system consistent with the recommendations of the technical committee.

CHAIRMAN COLVIN: We'll get that on the board. Seconded by Pat Augustine. Discussion on the motion? Discussion from the public on the motion? Mike, please identify yourself.

MR. MICHAEL DOEBLEY: Michael Doebley, Recreational Fishing Alliance. I thank the board. I think everybody has taken a lot more interest in this issue than we had originally anticipated, and we appreciate it. It is very important to our members, and we have learned a lot along the way, echoing the comments from many of the board members.

To the motion, there's a lot of different ways that you could implement a catch-and-effort data collection system. There was also a suggestion in the public information document going as far as mentioning a recreational fishing license.

Obviously, that's a pretty controversial issue. However, we did mention we could support a permit if you're using commercial-style gear. May I suggest to the board, perhaps, some clarification to this motion as to what sort of catch-and-effort data collection system you would use so it's not open to interpretation and opening up a whole can of worms on the license issue. Just a suggestion; it may not even be necessary. Thank you.

CHAIRMAN COLVIN: Thank you. The motion is now on the board. A.C., is that your motion?

MR. CARPENTER: Yes, Mr. Chairman.

CHAIRMAN COLVIN: Eric Smith.

MR. ERIC SMITH: Thank you. I don't oppose the motion at all, but I do note that we commonly do this with species plans. We'll say, "Let's do this," and then we have to remind ourselves that ACCSP is supposed to be the collection process that all of this gets done in a systematic way.

I would just ask if in the technical committee's advice, there are things unique to eels that would require that we adopt a separate Eel Management Plan specific system or whether it's intended that through the addendum process this actually becomes the states are required to do things, but the vehicle to do it is going to be through the common system.

CHAIRMAN COLVIN: A.C.

MR. CARPENTER: It would be my intention, with this motion, that the technical committee would use the ACCSP as the guidelines and adapt whatever it needs specific to eels; and also that we're going to get at least a draft of this back before we take any further action on it.

CHAIRMAN COLVIN: Does that address your comment? Thank you. Preston Pate.

MR. PATE: Thank you, Gordon. I have no problem and certainly no objections to the motion. That information is going to be critical to the development of the plan and future stock assessments.

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I'm just curious to know what we'll gain in terms of efficiency in separating that out now, given the pending larger amendment that's coming up? I've lost touch with the timelines, so I don't know how much time we gain by separating this out and putting it in place sooner than the larger package. Thank you.

CHAIRMAN COLVIN: I understand, and I think the difficulty there is that we have no way of knowing how long it may take us to develop a response via plan amendment or addendum at the end of the receipt of our advice and the stock assessment.

It could take a short period of time; it could take a long one. It's difficult to know. Is there further comment on the motion? Bruce Freeman.

MR. FREEMAN: Gordon, it seems like a typo on that very last line where it reads "a recommendation to the technical"; should that be "of"?

CHAIRMAN COLVIN: Thank you, Bruce. Any further comment on the motion? Seeing none, I'll read the motion for the record and call the question.

Move to proceed with the adoption of an addendum that would require the states to implement a harvest catch-and-effort data collection system consistent with the recommendation of the technical committee. Moved by Mr. Carpenter; seconded by Mr. Augustine.

Is there objection to the motion? Without objection, the motion carried.

Is there any other business to come before the Eel Board on Agenda Item 4? Seeing none, we'll proceed to Item 7, Review and Anticipated Approval of Advisory Panel Nominations. Lydia.

**REVIEW AND APPROVAL OF
ADVISORY PANEL NOMINATIONS**

MS. MUNGER: Thank you, Mr. Chairman. Three nominees are presented to the board today for review and anticipated approval. The first nominee is William R. Legg, and he is a commercial pot fisherman from Maryland.

Also, the board, at the last meeting, determined that in order to choose two recommendations for nomination for the non-traditional stakeholders' category, it would form a subcommittee, and that was done after the last Eel Board meeting back in May.

The subcommittee determined that there are two individuals they would like to recommend for board review and potential approval. The names of those nominees are Jacob Kritzer and Eric Buehl.

The received information on all these nominees on the Briefing Book CD-Rom, so you should have that information available to you.

CHAIRMAN COLVIN: Thank you. **We have the recommendations for the appointment to the AP of Mr. Legg, Mr. Buehl and Dr. Kritzer. Mr. Augustine.**

MR. PATRICK AUGUSTINE: So move, Mr. Chairman.

CHAIRMAN COLVIN: Seconded by Dr. Kray. Is there discussion on the motion? Is there objection to the motion? Without objection, the motion carried.

I don't know Mr. Legg or Mr. Buehl, and I don't know if they're with us today. I do know that Dr. Kritzer is here. Jake, if you'd just kind of wave your hand, and we thank him for being with us. Mr. Buehl is here. We really appreciate your willingness to get yourself involved in this and being here

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today and supporting the program. Thank you.

We are at the point of Other Business on the agenda. Is there any Other Business to come before the American Eel Board?
Dennis Abbott.

MR. DENNIS ABBOTT: Thank you, Mr. Chairman. I would just like to comment on the previous item regarding the advisors. We had numerous applicants for the positions, and we're very pleased with the response we received. I think that possibly in the future this might work for other boards, but I think it worked out quite well, didn't it, Gordon?

CHAIRMAN COLVIN: Yes, it did. Again, this is kind of echoing what I said about the public comment. It was very gratifying to see the number of people step forward and express interest in these non-traditional, which is what we're referring to them with want of a better term, stakeholders on the Eel Advisory Panel. It was tough to review and make recommendations. I think the committee approach we used was a good one. It was a unanimous recommendation for Eric Buehl and Jake Kritzer. I think it was an excellent choice; it was good process; and the fact that they're both here today I think speaks clearly to the fact the committee made a real good choice on those two individuals.

I think you're right, Dennis, this bodes well for this kind of addition to our advisory panel process in other contexts as well. Thank you. Lew Flagg.

MR. FLAGG: Thank you, Mr. Chairman. One of the things I think the board should be thinking about, as we move along in this process, particularly with American eel, is to remember the fact that this animal has a very long life cycle.

They live to be very old before they spawn the first time, so basically what we have today for a resource is based on what happened 20, 25 years ago. So, I think with respect to future decisions of this board relative to American eel, for this species we really need to take a precautionary approach because we're not going to know for many years what the management actions are going to do for this resource.

I think that particularly in this case we have to be very careful and be very conservative relative to management of this resource. Thank you.

CHAIRMAN COLVIN: Thank you, Lew, and we appreciate your wisdom and we're going to miss it when you speak as you do. Russell.

MR. RUSSELL DIZE: I was just wondering does the technical committee plan to do any research on where these eels supposedly all spawn, and that's the Sargasso Sea? I only saw it mentioned one time in the comments.

I paid particular attention to it, because we're kind of trying to manage from the backside; because like in rockfish, for instance, we manage from where they spawn and then we protect the spawners and the habitat where they spawn.

On this we're not familiar, I guess, with all the areas where they do spawn; and if it is all in the Sargasso Sea, do we have any way of investigating the habitat there?

CHAIRMAN COLVIN: Well, that's a good question, and I don't know that anybody has ever been able to come up with one yet. An awful lot of money and scientific effort has been expended trying. I'll ask Lydia if there's any other options available to us. I know it's a matter of

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interest to the technical committee; there's no doubt about that.

MS. MUNGER: Thank you, Mr. Chairman. The technical committee will likely at least be looking at the literature to see if any new developments have come about recently. I'm not aware of any state initiative to move forward with this.

CHAIRMAN COLVIN: Lance Stewart.

DR. LANCE STEWART: Yes, Gordon, one thing that comes to mind is as we look at our local problems in North America, I don't want to put extra burden on the technical committee, but there's a wealth of information on the European Continent on the species, and their declines in fisheries and causes and pollution problems, and it might be well reflected in some sort of a review, whether we do it academically or whatever. But, it might shed light on where we are right now, but it exists.

CHAIRMAN COLVIN: Thanks, Lance. Yes, David.

MR. PERKINS: I just wanted to expand a little bit, briefly, on my response to Mr. Pate's question about state involvement on the status review team. I believe with many of the endangered species issues that are localized geographically, it's practical to have some of the experts in the local region involved on the status review team.

I think the approach with eels, since it's such a very different species, very broad and widespread, that approach would be impractical, and so the state and other expert involvement is going to occur through the workshops and through the threats assessment, which will ultimately be peer reviewed. I don't think we'll be expecting a lot of --

MR. PATE: Well, I just know that NMFS reached out to the states for participation in the Eastern Oyster Status Review Team, which is just as widespread as the eel, and I was just curious to know if there was some standard procedure for soliciting that type of participation or not.

MR. PERKINS: It varies depending upon the circumstances.

CHAIRMAN COLVIN: Bob Beal.

MR. ROBERT E. BEAL: I just had a process question, Gordon. My understanding -- correct me if I'm wrong -- is that the tasking that's going to the technical committee will be addressed between today's meeting and the annual meeting, and then a report will be brought back; and a draft addendum will be developed by the staff and brought back at the annual meeting, an addendum to deal with the data collection issues, and that will be brought back for consideration by this board at that time; is that the timeline we're on?

OTHER BUSINESS/ADJOURN

CHAIRMAN COLVIN: That's my expectation. Anything further to come before the Eel Board? Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned at 10:40 o'clock a.m., August 17, 2005.)

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