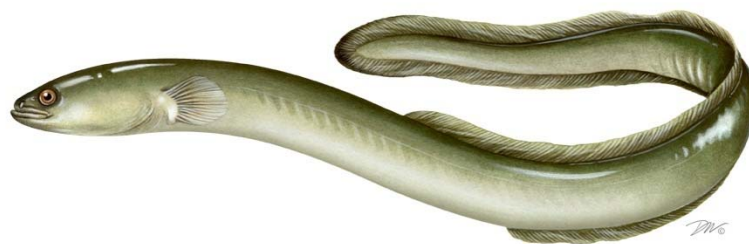




Draft Addendum IV for Public Comment



American Eel Management Board
August 2014

Current Management



- The Board initiated the development of Draft Addendum III in response to the Stock Assessment in August 2012.
- The Board approved Addendum III in 2013.
 - 9 inch minimum size limit for commercial and recreational fishery
 - ½ by ½ inch commercial mesh requirement (3 year phase in)
 - 25 fish recreational bag limit (exemption for charter boats)
 - Pigmented eel restrictions
 - Silver eel fishery restrictions
- And initiated Draft Addendum IV



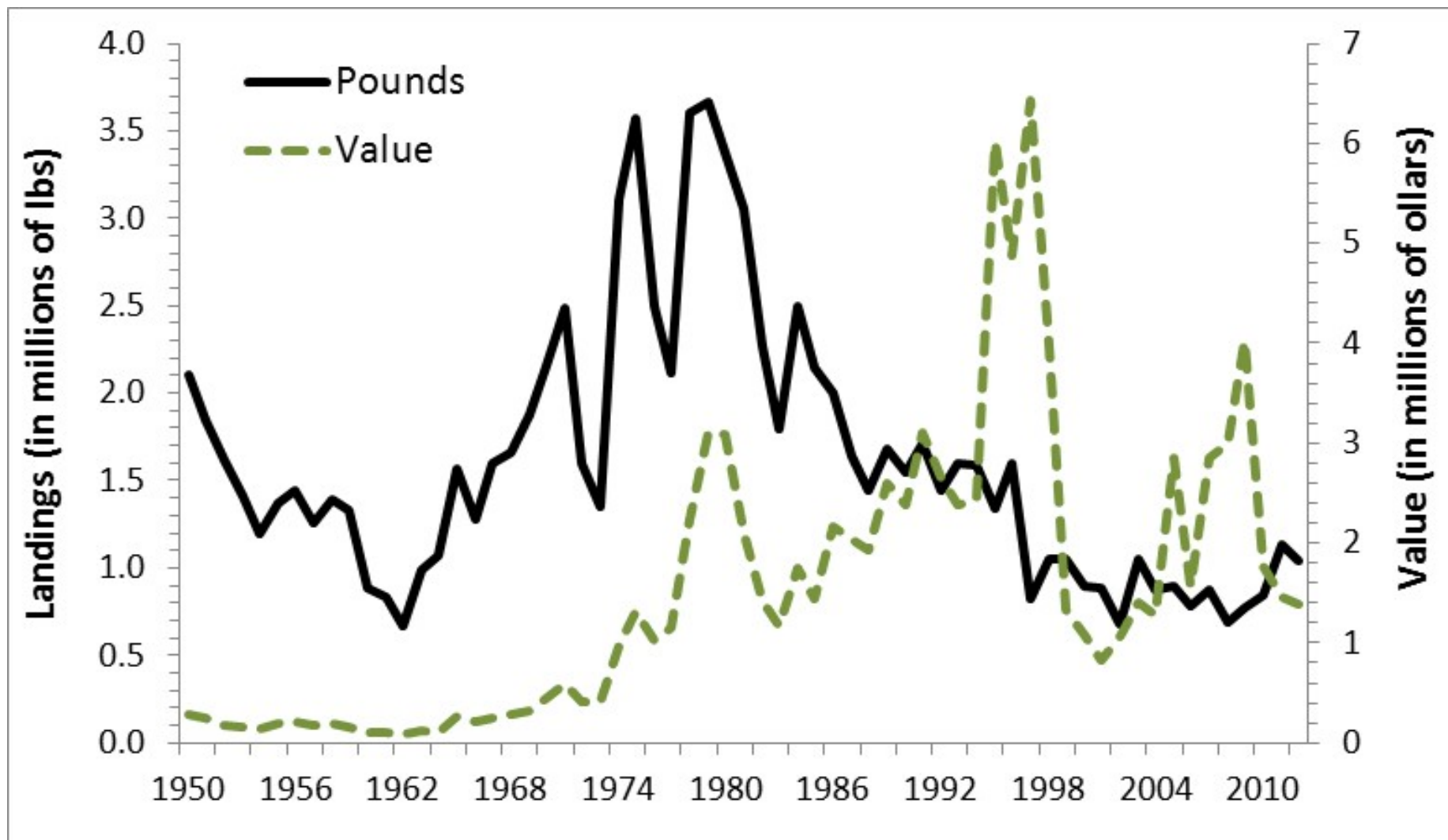
Status of the Stock



- Stock Assessment completed and accepted for management in 2012.
- The Stock Assessment found the American eel population in U.S. waters is depleted.



Status of the Fishery



Draft Addendum IV



- **Commercial Fishery Management Program**
 - Glass Eel Fisheries
 - Yellow Eel Fisheries
 - Silver Eel Fisheries
- **Most options are not mutually exclusive**



Glass Eel Fishery



- **Option 1 – Status Quo**

- Glass eel fisheries operate in Maine and South Carolina. States are required to maintain existing or more conservative measures at the time of implementation of the American Eel FMP. These measures prohibit the development of glass eel fisheries in the remaining states and jurisdictions. Addendum III restricts the development of pigmented eel fisheries in states that allow glass eel harvest.



Glass Eel Fishery



- **Option 2 – 2014 Management Measures**
 - The current 2014 fishing regulations for glass eel fisheries in Maine and South Carolina will be required to be maintained
 - In Maine this would include the ~11k quota along with dealer and harvester reporting requirements
 - In South Carolina the fishery is limited to ten individuals, with fishing restricted to one river



Glass Eel Fishery



- **Option 3 - Closure of the fishery**
 - Immediate
 - Delayed



Glass Eel Fishery



- **Option 4 – Quota based on landings**
 - Sub Option 4a – Average Landings from 2004 – 2013
 - Sub Option 4b - 20% reduction from 2004 - 2013
 - Sub Option 4c - 2010 Landings

	Sub-option 4a: Average 2004 - 2013 Landings	Sub-option 4b: 20% reduction	Sub-option 4c: 2010 Landings
Maine	8,008	6,406	3,158
South Carolina	250	200	239
Total	8,257	6,606	3,397

Glass Eel Fishery



- **Option 5 – Quota Overages**

- *This option is only applicable if quota management is chosen (Option 4 of this Section).*
- If a quota system is implemented in a state, the Board may choose to implement a mechanism to address quota overages. If overages occur, the state will be required to deduct their entire overage from the quota the following year, pound for pound.



Glass Eel Fishery



- **Option 6 – Glass Eel Harvest Allowance Based on Stock Enhancement Programs**
 - Under this option any state can request an allowances for harvest of glass eels based on stock enhancement programs implemented after January 1, 2013. Stock enhancement programs must show a measurable increase in glass eel passage and/or glass eel survival.
 - Examples of stock enhancement programs include, but are not limited to, habitat restoration projects, fish passage improvements, or fish passage construction.



Glass Eel Fishery



- Sub-Option 6a – 5% Harvest Cap – A state shall not exceed 5% of the quantified contribution provided by the stock enhancement program.
- Sub-Option 6b – 10% Harvest Cap - A state shall not exceed 10% of the quantified contribution provided by the stock enhancement program
- Sub-Option 6c – 25% Harvest Cap – A state shall not exceed 25% of the quantified contribution provided by the stock enhancement program.



Glass Eel Fishery



- **Option 7 – Aquaculture Quota**

- Under this option, the Board may choose to allocate a percentage of the total quota for approved aquaculture purposes.
- This amount would first be deducted from the total glass eel quota (as specified under Options 2 or 4), then the remainder of the quota would be distributed as specified under the option.



Glass Eel Fishery



- **Option 8 – Aquaculture Permitting**
 - Any harvest of glass eels for commercial aquaculture purposes must be collected under an approved Aquaculture Permit issued by the states the collection will occur in and subject to any monitoring and reporting requirements.



Glass Eel Fishery



- **Option 9 – Reporting Requirements**
 - implement daily trip level reporting with daily electronic accounting to the state for harvesters and dealers in order to ensure accurate reporting of glass eel harvest.
- **Option 10 – Monitoring Requirements**
 - states or jurisdictions with a commercial glass eel fishery must implement a fishery independent life cycle survey covering glass, yellow, and silver eels within at least one river system.



Yellow Eel Fishery



- **Option 1 – Status Quo**
 - **Regulations as specified under Addendum III**
 - 9 inch minimum size
 - ½ by ½ inch mesh requirement



Yellow Eel Fishery



- **Option 2 – Adjusted Yellow Eel Quota (Allocation Base Years = 2011 – 2013)**
 - The PDT recommends the following criteria be applied in the distribution of the quota:
 1. States be allocated a min quota 2,000 pounds. This is not expected to promote a notable increase in effort.
 2. No state is allocated a quota that is more than 10,000 pounds above its 2010 harvest.
 3. No state or jurisdiction is allocated a quota that is more than a 15% reduction from its 2010 harvest.
 - Sub – Option 2a: No Reduction
 - Sub-Option 2b: 10% Reduction
 - Sub-Option 2c: 20 % Reduction





	2010 Landings	Allocation	Option 2a: No Reduction	Option 2b: 10% Reduction	Option 2c: 20% Reduction
Maine	2,624	0.47%	4,597	4,137	3,677
New Hampshire	80	0.01%	2,000	2,000	2,000
Mass	277	0.04%	2,000	2,000	2,000
Rhode Island	4642	0.16%	2,000	2,000	2,000
Connecticut	164	0.19%	2,000	2,000	2,000
New York	13,220	4.26%	23,220	23,220	23,220
New Jersey	107,803	10.19%	99,659	91,633	91,633
Delaware	68,666	6.97%	68,167	61,350	58,366
Maryland	511,201	56.72%	521,201	499,251	443,779
PRFC	57,755	4.67%	49,092	49,092	49,092
Virginia	78,076	9.58%	88,076	84,323	74,954
North Carolina	122,104	4.94%	103,788	103,788	103,788
South Carolina	2		2,000	2,000	2,000
Georgia	103	0.11%	2,000	2,000	2,000
Florida	11,287	1.69%	16,528	14,875	13,223
Total	978,004		986,286	937,701	868,939

Yellow Eel Fishery



- **Option 3 – Adjusted Yellow Eel Quota (Allocation Base Years = 2002 -2012)**
 - Same criteria as Option 2
 - Sub – Option 2a: No Reduction
 - Sub-Option 2b: 10% Reduction
 - Sub-Option 2c: 20 % Reduction





	2010 Landings	Allocation	Option 3a: Average Landings	Option 3b: 10% Reduction	Option 3c: 20% Reduction
Maine	2,624	1.54%	12,624	12,624	12,036
New Hampshire	80	0.01%	2,000	2,000	2,000
Mass	277	0.37%	3,620	3,258	2,896
Rhode Island	4642	0.44%	4,310	3,946	3,946
Connecticut	164	0.32%	3,118	2,806	2,494
New York	13,220	3.18%	23,220	23,220	23,220
New Jersey	107,803	11.31%	110,642	99,578	88,514
Delaware	68,666	10.28%	78,666	78,666	78,666
Maryland	511,201	43.43%	434,521	434,521	434,521
PRFC	57,755	8.84%	67,755	67,755	67,755
Virginia	78,076	8.79%	86,006	77,405	68,805
North Carolina	122,104	10.15%	103,788	103,788	103,788
South Carolina	2	0.01%	2,000	2,000	2,000
Georgia	103	0.05%	2,000	2,000	2,000
Florida	11,287	1.27%	12,457	11,211	9,965
Total	978,004		946,726	924,777	902,605

Yellow Eel Fishery



- **Option 4 - Yellow Eel Quota based on 2010 Landings**
 - Under this option yellow eel harvest for states and jurisdictions with a yellow eel fishery will be regulated annually through a quota system. The coastwide quota is set at the 2010 harvest levels.





	2010 Landings	Allocation	Option 4a: Average Landings	Option 4b: 10% Reduction	Option 4c: 20% Reduction
Maine	2,624	1.54%	15,045	13,541	12,036
New Hampshire	80	0.01%	2,000	2,000	2,000
Massachusetts	277	0.37%	3,620	3,258	2,896
Rhode Island	4642	0.44%	4,310	3,879	3,448
Connecticut	164	0.32%	3,118	2,806	2,494
New York	13,220	3.18%	31,083	27,975	24,866
New Jersey	107,803	11.31%	110,642	99,578	88,514
Delaware	68,666	10.28%	100,543	90,489	80,435
Maryland	511,201	43.43%	424,712	382,240	339,769
PRFC	57,755	8.84%	86,427	77,784	69,141
Virginia	78,076	8.79%	86,006	77,405	68,805
North Carolina	122,104	10.15%	99,298	89,368	79,438
South Carolina	2	0.01%	2,000	2,000	2,000
Georgia	103	0.05%	2,000	2,000	2,000
Florida	11,287	1.27%	12,457	11,211	9,965
Total	978,004		983,260	885,534	787,808

Yellow Eel Fishery



- **Option 5 – Weighted Yellow Eel Quota**
 - Sub – Option 3a: No Reduction
 - Sub-Option 3b: 10% Reduction
 - Sub-Option 3c: 20 % Reduction
- Allocation to states and jurisdictions is based on a weighted distribution.
- The three highest landings from the period 2004 – 2013 were averaged and then weighted at 30%.
- This was combined with the average landings from 2011 – 2013, which was weighted at 70%.





	Allocation	Option 5a: No Reduction	Option 5b: 10% Reduction	Option 5c: 20% Reduction
Maine	0.9%	8,314	7,483	6,651
New Hampshire	0.01%	2,000	2,000	2,000
Mass	0.2%	2,000	2,000	2,000
Rhode Island	0.3%	2,549	2,294	2,040
Connecticut	0.2%	2,292	2,063	2,000
New York	3.9%	38,360	34,524	30,688
New Jersey	10.6%	103,423	93,081	82,739
Delaware	8.1%	79,546	71,591	63,637
Maryland	52.2%	510,264	459,238	408,211
PRFC	5.9%	57,997	52,197	46,398
Virginia	9.3%	90,819	81,737	72,655
North Carolina	6.8%	66,337	59,703	53,069
South Carolina	0.01%	2,000	2,000	2,000
Georgia	0.1%	2,000	2,000	2,000
Florida	1.6%	15,498	13,949	12,399
Total	100.00%	983,399	885,859	788,486

Yellow Eel Fishery



- **Option 6 – Quota Overages**

- If overages occur, the state will be required to reduce their following year's quota by the same amount the quota was exceeded, pound for pound.

- **Option 7 – Quota Transfers**

- States or jurisdictions implementing a commercial quota for American eel may request approval to transfer all or part of its annual quota to one or more states.

- States that receive the automatic 2,000 pound quota would not be eligible to participate in these transfer management measures.



Yellow Eel Fishery



- **Option 8 – Catch Cap**

- Based off the 2010 harvest levels.
- States and jurisdictions would be allowed to fish until the cap is reached.
- Once the cap or threshold is reached, all states and jurisdictions would be required to close all directed fisheries and prohibit landings.
- Controls amount of mortality without needing allocation
- Still need timely reporting, no state specific payback mechanism, promote derby style fishery, potential loss of historic fall/winter fisheries.

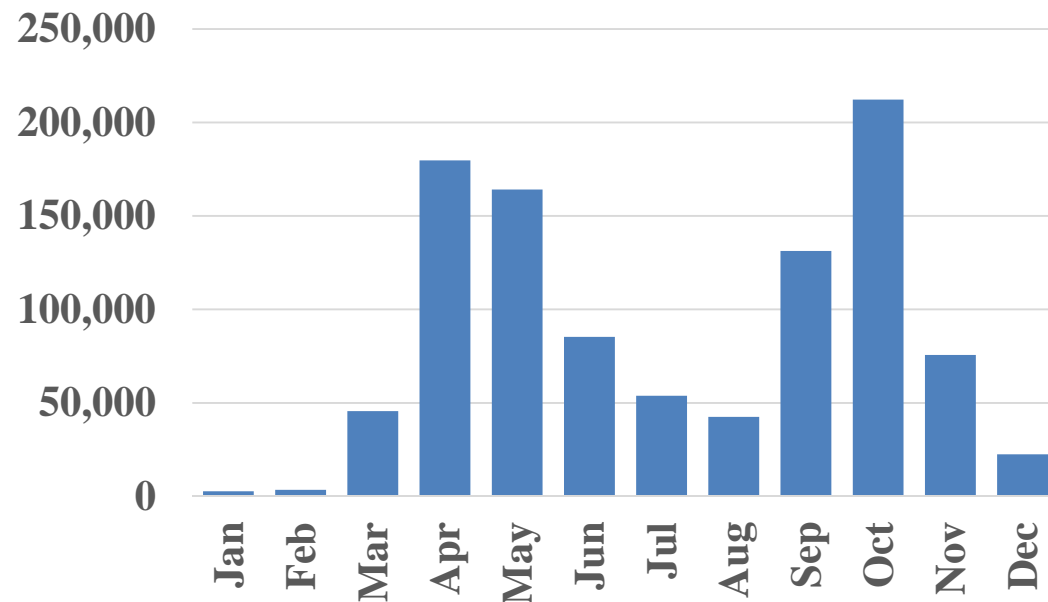


Yellow Eel Fishery



- **Option 8 – Catch Cap**

- Sub-option 6a – 2010 harvest level: **978,004 pounds**
- Sub-option 6b – 10% reduction: **880,203 pounds**
- Sub-option 6c – 20% reduction: **782,403 pounds**



Silver Eel Fishery



- Under Addendum III:
 - *States and jurisdictions are required to implement no take of eels from September 1st through December 31st from any gear type other than baited traps/pots or spears (e.g. fyke nets, pound nets, and weirs). These gears may still be fished, however retention of eels is prohibited*
 - **NY was granted a one year exemption from the requirements under Addendum III**



Silver Eel Fishery



- **Option 1 – Status Quo**
 - Current regulations would remain and the one year exemption in NY would expire on Dec 31, 2014.
- **Option 2 – Extension of the sunset provision**
 - Timeframe specified by Board



Silver Eel Fishery



- **Option 3- Effort Reductions/Time Closures**

- No take of eels in the Delaware River and its tributaries within New York from August 15th through September 30th from any gear type other than baited traps/pots, or spears and weirs (e.g. fyke nets, pound nets).

Month	Average Landings
July	139
August	1,005
September	2,574
October	1,653
November	2



Silver Eel Fishery



- **Option 4 – License Cap**

- The Delaware River weir fishery would be limited to those permitted New York participants that fished and reported landings anytime during the period from 2010 – 2013.



State Sustainable Fishing Plans



- States or jurisdictions would be allowed to manage their American eel fishery (glass, yellow, or silver) through an alternative program to meet the needs of their current fishermen while providing conservation benefit for the American eel population.



Fishing Mortality Plan



- States must assess, with some level of confidence, the status of abundance and level of mortality that is occurring within their jurisdiction.
- Once documented, states will be allowed to allocate their fishing mortality to any American eel fishery even if the state does not currently participate in that fishery or for aquaculture or research purposes
- States would be allowed to increase the fishing mortality rate provided it is offset by decreases in other mortality (habitat/restoration) and there is an overall net gain to conservation.



Aquaculture Plan



- States and jurisdictions shall have an option to develop a Plan for aquaculture purposes.
- Under this scenario, states would be allowed to harvest a maximum of 200 pounds of glass eel annually from within their waters for use in domestic aquaculture facilities provided they can objectively show that the harvest will occur from a watershed that minimally contributes to the spawning stock of American eel.



Transfer Plan



- If states or jurisdictions are unable to assess the current level of mortality and abundance with certainty, and the Board chooses to adopt quota management, then a state would be allowed to develop a SFP to request a transfer of quota from one fishery to another (e.g. from yellow to glass) based on the life history characteristic inherent to that area



Glass Eel Measures



- Option 1 – Status Quo
- Option 2 – 2014 Management Measures
- Option 3 – Closure of the Glass Eel Fisheries
- Option 4 – Glass Eel Quota
- Option 5 – Quota Overages
- Option 6 - Glass Eel Harvest Allowance Based on Stock Enhancement Programs
- Option 7 – Aquaculture Quota
- Option 8 – Aquaculture Permitting
- Option 9 – Reporting Requirements
- Option 10 – Monitoring Requirements



Glass Eel Fishery



- **Option 4 – Quota based on landings**
 - Sub Option 4a – Average Landings from 2004 – 2013
 - Sub Option 4b - 20% reduction from 2004 - 2013
 - Sub Option 4c - 2010 Landings

	Sub-option 4a: Average 2004 - 2013 Landings	Sub-option 4b: 20% reduction	Sub-option 4c: 2010 Landings
Maine	8,008	6,406	3,158
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Total	8,257	6,606	3,397

Yellow Eel Measures



- Option 1 – Status Quo
- Option 2 – Adjusted Yellow Eel Quota (Allocation Base Years = 2011 – 2013)
- Option 3 – Adjusted Yellow Eel Quota (Allocation Base Years = 2002 -2012)
- Option 4 - Yellow Eel Quota based on 2010 Landings
- Option 5 - Weighted Yellow Eel Quota
- Option 6 – Quota Overages
- Option 7 – Quota Transfers
- Option 8 – Catch Cap





	2010 Landings	Allocation	Option 2a: No Reduction	Option 2b: 10% Reduction	Option 2c: 20% Reduction
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Florida	1.6%	15,498	13,949	12,399
Total	100.00%	983,399	885,859	788,486

Silver Eel Measures

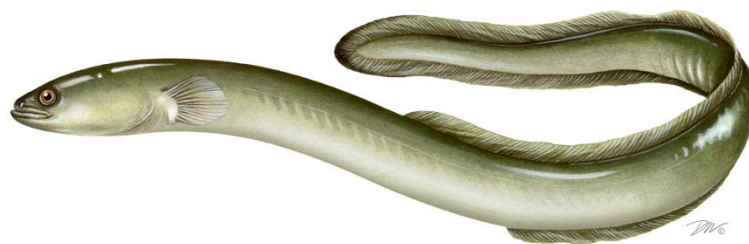


- Option 1 – Status Quo
- Option 2 – Extension of Sunset Provisions
- Option 3 – Effort Reduction/Time Closures
- Option 4 – License Cap





Public Comment Summary



American Eel Management Board
August 2014

Public Comments



- Public comment period ran from May 30th to July 17th.
- In total, there was 177 people in attendance at all public hearings.
- 62 individual written comment letters were received and 18 comments were received by groups or organizations.
- A form letter (American Eel Farm) prompted 24 letters.



Public Hearings



- Fourteen public hearings were held in 12 states: ME, NH, MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, and SC.
- In total, there was 177 people in attendance at all public hearings.
 - Public attendance at all hearings!
 - 74 were at the two public hearings in Maine
 - 22 at the two public hearings in New York
 - 17 at the public hearing in Maryland
 - There were also countless state staff that attended the public hearings.



Public Hearings – Glass Eels



- The majority of comments were in support of Option 10 (Monitoring) and Option 1 and 2 (Status Quo and 2014 Management Measures).
 - There was considerable confusion on the difference between Options 1 and 2. Many commenters used the two options interchangeably and likely they should be considered together.
- The majority of opposing comments were directed at Option 7 (Aquaculture Quota), Option 3 (Closure) and Option 4 (Quota Management).



Public Hearings – Yellow Eels



- The majority of comments were in support of the status quo.
- Opposing comments were directed at options pertaining to quota management.
- Commenters suggested alternative regulations including a 1 x ½” mesh requirement, limited entry, and requiring eel specific licenses.



Public Hearings – Silver Eels



- Under proposed silver eel fishery management options the majority of comments received were in support of Option 2 (Extension of Sunset Provision).
 - No timeframe was specified
- **Public Hearings - SFPs**
 - Only comments in support of including SFPs in the addendum were received



Public Hearings - General



- General comments focused on:
 - the need for habitat restoration
 - increasing access to habitat
 - turbine mortality
 - poaching and illegal harvest
 - the need for increased enforcement and fines
 - that the stock is not declining
 - concern for underreporting / inaccurate landings
 - the need for more data collection



Public Hearings - General



- Additional:
 - Have stock enhancement programs go further back (e.g. 2009)
 - the regulations for the ½ by ½ mesh requirement and the 9 inch minimum size under Addendum III are unclear and inconsistent and a tolerance was needed
 - there should be more done to tie restoration into management measures
 - if overages were allowed then underages should also be allowed
 - Any glass eel harvest licenses should be given to yellow eel fishermen first



Individual Comments - Glass



- The majority of were in favor of Option 2 (2014 Measures) or Option 1 (Status Quo).
- Six comments were in favor of and four comments were opposed to a closure of the glass eel fishery.
- One comment supported and three were in opposition of Option 7 (Aquaculture Quota).



Individual Comments - Yellow



- Three comments were opposed to any type of quota management for the yellow eel fishery and one comment was in support of the status quo.
- One comment was in support of Option 4c (2010 Quota with a 20% reduction) and one comment was in support of Option 5c (Weighted Quota with a 20% reduction).
- One comment was in support of Option 8 (Catch Cap).



Individual Comments - Silver



- Three comments were in support of an extension on the sunset provision (Option 2) and the time closure (Option 3).
- Two comment were in support of the license cap (Option 4).
- One comment was in support of the status quo (Option 1).



Individual Comments - SFPs



- Two commenters were in support of the State Sustainability Plan, specifically the aquaculture plan.



Group Comments



- Alewife Harvesters of Maine Association
- Chester Conservation Commission
- Farmington River Watershed Association
- Maine Elver Fishermen's Association
- Massachusetts Marine Fisheries Advisory Commission
- Mystic River Watershed Association
- National Association of State Aquaculture Coordinators
- New Jersey Marine Fisheries Commission
- North Carolina Farm Bureau Federation
- North Carolina Aquaculture Association
- North Carolina Department of Agriculture
- Park Watershed
- South Central Connecticut Regional Water Authority
- Save the Bay
- TNC
- Upper Delaware Council
- National Park Service - Upper Delaware Scenic and Recreational River
- Wild Oceans



Group Comments – Glass



- Nine organizations were in favor of a closure of the glass eel fishery, with two organizations in support of an immediate closure and three in support of a delayed closures.
- Six organizations supported Option 9 (Reporting Requirements) and Option 10 (Monitoring Requirements).
- Five organizations were in favor of Option 4c (Quota based on 2010 landings) and Option 6 (Quota Transfer).
- Two organization were in support of and one organization was opposed to Option 2 (2014 Measures).
- One organization expressed opposition to Option 5 (Quota Overages) and Option 6 (Stock Enhancement Programs).
- One organization was in support of and one organization was in opposition to the Status Quo.



Group Comments – Yellow



- Three organizations commented in opposition to quota management
- Three groups were in support of the status quo.
- Six organizations were in support of quota management and, specifically, four organizations supported Option 4 (20% reduction of 2010 landings).



Group Comments - Silver



- Comments on the silver eel options were about evenly distributed between the Status quo (5 in support), Option 2 (Extension of the sunset provision, 5 in support), Option 3 (Time closure, 4 in support) and Option 4 (License Cap, 4 in support).



Group Comments - SFPs



- Two commenters were in support of the State Sustainability Plan, specifically the aquaculture plan.



Additional Comments



- concern over depleted population
- stressed that eels are an important part of the ecosystem
- Impact of hydropower dams and lack of downstream passage access,
- concern over illegal harvest and poaching,
- requested general protection for glass eels,
- that the glass eel fisheries provide important economic opportunity in Maine,
- more research is needed,
- that the Commission consider a ½ by 1 inch mesh requirement,
- that all fisheries should be closed,
- that fyke nets are negatively impacting river herring spawning runs,
- the impact of horseshoe crab restrictions has already decreased landings,
- states need more flexibility in management,
- consider closing the commercial season from May – June, and
- that water quality is an issue



Form Letter



- 24 form letters were received in support of the American Eel Farm and Option 3.1.4 State Sustainable Fishing Plans – Aquaculture Plan.
- The form letters included comments on the economic importance of the facility and also the potential benefits through stocking and monitoring that the facility could provide.





AP Summary



American Eel Management Board
August 2014

Background



- AP met on July 18th
- Reviewed the options contained in the Draft Addendum and received an overview of public comments submitted at the public hearings.
- Since the public comment period closed on July 17th, a review of the written comments was not available for AP review



Glass Eels



- There was support by some members for the **Status Quo** and **Option 2 (2014 Measures)**.
 - The Board should consider seeing how Maine’s successful measures continue to address the problem and make changes as needed.
- Some support for **Option 4c (2010 quota)**, with a phased in approach (timeframe and re-evaluation as specified by the Board). Two commenters stated that the allocation amount under this option would be too small to keep the fishery going and cause its eventual closure and were in opposition to all sub-option under **Option 4 (Quota Management)**.
- Some support for **Option 6 (Stock Enhancement Programs)**, with additional comments provided requesting that the enhancement programs that could be considered go back to January 1, 2010 or January 1, 2011.



Glass Eels



- There were comments in opposition to **Option 7 (Aquaculture Quota)** as it took away from current fishermen.
- Comments provided pointed out that **Option 9 (Reporting Requirements)** were already in place for Maine.
 - There needs to be an increase in the requirements and verification when exporting eels; work with USFWS to increase monitoring of exports.
- Unanimous support **Option 10 (Monitoring Requirements)**.
 - The AP firmly believes that there needs to be more information available, including tagging studies, in order to make management decisions. Management decisions cannot be made on historical landings data.



Yellow Eels



- Two people were in support for the **Status Quo**.
 - sufficient time has not passed to see effects of AddIII.
- Two people were opposed to **Options 2 – 5 (Quota Management)** would be burden to fishermen.
- One person was in support of **Option 4b (10% reduction)** and one person was in support of **Option 4c (20% reduction)**.
- Two people were opposed to **Option 7 (Quota Transfers)**, mostly due to inclusion of states that receive 2,000 pound allocation.
 - One person commented that they do not support the arbitrary 2,000 pound minimum allocation at all.



Silver Eels



- Two commented in support of the **Status Quo**.
- One person commented in support of **Option 4 (License Cap)**.



SFPs



- Aquaculture Plan – There was one comment that the amount should be higher than 200 pounds in order to make it economical.
- Fishing Mortality Plan – There was one comment on how states would be able to provide all the required information if the stock is considered data-poor stock?



Other Comments



- Four people favor license cap or limited entry for the yellow eel fishery to keep participation stable and not promote latent effort from returning.
- One person suggested that a separate eel license.
- There was a comment that a tolerance is needed (suggested 5% under 9 inches) to address differences between 9 inch min size and the ½ by ½ inch mesh reqs under addendum III
- Comments were expressed that overfishing isn't the problem; need to address turbine mortality and habitat quality issues.
- Concern over loopholes in exportation chain for glass eels; need verification by a USFWS on all out-going shipments
- Commission should work with MSC

