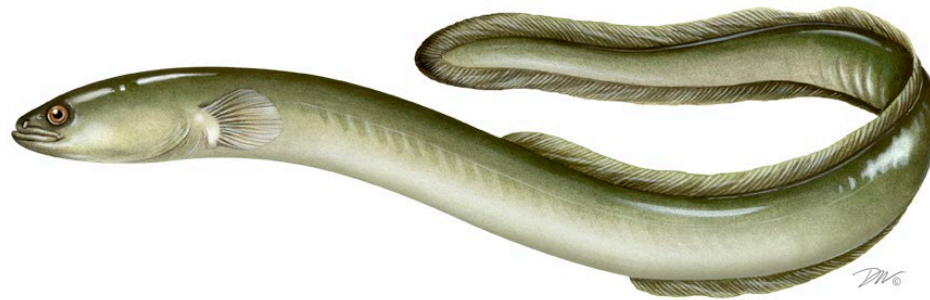




# **American Eel Draft Addendum VI**

## ***Commercial Glass/Elver Eel Management***

### ***For Final Action***



**May 2024**

# Outline



- Background
- Statement of the Problem
- Proposed Management Options
  - Glass Eel Quota
  - Quota Duration
- Public Comment Summary
- AP Report (*M. Feigenbaum*)
- Board Actions for Consideration

# Background



Timeline	Action
August 2023	Board initiated Draft Addendum VI
Fall 2023	PDT developed Draft Addendum
January 2024	Board approved Draft Addendum VI for public comment
February-March 2024	Public hearings & comment period
<b>→ May 2024</b>	<b>Review public comment, consider draft addendum for final approval</b>
January 1, 2025	Implementation of selected management measures

# Statement of the Problem



- Maine's commercial glass eel quota for 2015-2017 was set at 9,688 pounds by Addendum VI (2014)
- Addendum V maintained the same quota, which was extended through Board action through 2024
- Fishing beyond 2024 requires an Addendum
- Draft Addendum VI addresses this issue by considering implementation of a Maine glass eel commercial quota for 2025 and beyond.



# Proposed Management Options

# 3.1 Maine Glass Eel Quota



- **Option 1: Status quo, 9,688 pounds**
  - Maintains the same quota in place since 2015
  
- **No Action**
  - No quota for Maine in the Commission FMP

*\*Note: Board removed option to decrease the quota*

# 3.2 Quota Timeframe



- **Option 1: No Sunset**
  - Quota established under Addendum VI will remain in place unless changed through addendum/amendment
- **Option 2: Three Years**
  - The Board must initiate an action to establish Maine glass eel commercial quota for 2028 and beyond
- **Option 3: Three Years, can extend via Board action**
  - Board can extend the same quota indefinitely



# Public Comment Summary



# Public Comments



- **One virtual public hearing on February 28, 2024**
  - 23 public attendees
  - Zero comments provided at the hearing
- **35 total written comments\*\***
  - 33 comments from individuals\*\*
    - Counting all signatories
  - Two letters from organizations

# Public Comments



Management Options	Written Comments	Organization Letters	Total
<b>3.1, Option 1 (Status Quo)</b>	33	1	<b>34</b>
<b>3.2, Option 1 (No Sunset)</b>	5	1	<b>6</b>
<b>3.2, Option 2 (Three Years)</b>		1	<b>1</b>
<b>3.2, Option 3 (Three Years with Ability to Extend)</b>			<b>0</b>

# 3.1 Option 1 – Status Quo



- Support for Option 1
  - Elvers are plentiful and fishermen easily fill quotas early in the season
  - Maine fishery is well managed and regulated
  - There have been improved laws and conservation efforts to allow harvest without depleting population
  - Maine has large amounts of habitat

## 3.2 Timeframe for Quota



- Support for Option 1 (no sunset)
  - The quota is working and should stay in place
- Support for Option 2 (three years)
  - The quota should be fully reviewed in three years so that any necessary adjustments based on changed conditions can be made
  - provide opportunity for engagement and coordination with the Passamaquoddy Tribe

# Additional Comments



- Three comments argued that the Maine glass eel quota should be increased
  - It would not hurt the biomass given the small number of fishermen.
  - Credit should be given for dam removal and habitat restoration work
- States without glass eel fisheries should not get to vote on Maine's management
- One individual favored reducing or ending harvest

# Additional Comments



- Passamaquoddy Tribe concerns
  - ASMFC should consult with the Tribe prior to proposing management actions that will affect American eel and other species in its region
  - ASMFC and its partners should prioritize population and habitat restoration efforts over harvest quotas



# **AP Report on Draft Addendum VI**

# Summary of AP Feedback



- Two of five AP members were representing Maine. Both supported Option 1 on the Quota and on the Quota Timeframe.
- Two of the other three AP members either supported or offered no opinion about the views of their colleagues from Maine.
- Not only Maine's AP members, but attendees at the state's public meetings report that glass eel runs are strong and note that the quota is easily reached every year. They cite the reduction of adult eel fisheries and an impressive record of dam removal as proof of the state's responsible approach to the species' management.
- While the harvester community in Maine asks the Board to consider increases to the state's glass eel quota, this matter was not addressed by the AP since it was not an option for consideration in the Addendum.



# Board Action for Consideration



- Select management measures
- Approve Addendum VI for management



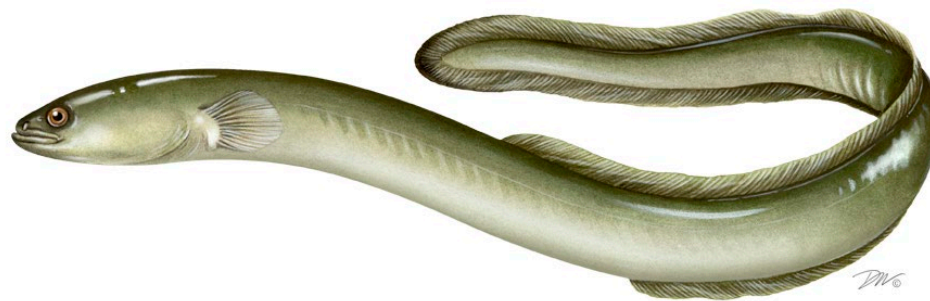
**Questions?**



# **American Eel Draft Addendum VII**

## ***Commercial Yellow Eel Management and Monitoring Requirements***

### ***For Final Action***



**May 2024**

# Outline



- Background
- Statement of the Problem
- Proposed Management Options
  - Yellow Eel Coastwide Cap
  - Management Response to Exceeding Cap
  - Young of year survey requirements
  - Catch and effort reporting requirements
  - *De minimis* policy
- Public Comment Summary
- AP Report (*M. Feigenbaum*)
- Board Actions for Consideration

# Statement of the Problem



- 2023 Assessment maintains depleted stock status and recommends reducing yellow eel catch
- Assessment is unable to provide biological reference points to inform management
- Current coastwide cap is based on historical landings
- 2023 Assessment recommends  $I_{TARGET}$  tool to provide catch advice based on landings and abundance index

# Landings and Abundance Index



# Background



- Board initiated Addendum VII
  - ***Move to form a Plan Development Team to draft an addendum to consider using  $I_{TARGET}$  to recommend various catch caps, but not use  $I_{TARGET}$  to set biological reference points or stock status, using the supplemental report as presented today as a starting point.***

# Monitoring Requirements



- 2023 Assessment commented on young of year (YOY) abundance surveys and catch and effort monitoring
  - Recommends biological sampling requirement in YOY surveys be made optional (lengths, pigment stage)
  - State CPUE data have not been used in assessments; not indicative of trends in stock as a whole
- PDT included options regarding monitoring requirements to address these issues



# Timeline



Timeline	Action
August 2023	Board initiated Draft Addendum VII
Fall 2023	PDT developed Draft Addendum
January 2024	Board approved Draft Addendum VII for public comment
February-March 2024	Public hearings & comment period
<b>→ May 2024</b>	<b>Review public comment, Board considers final approval</b>
TBD	Implementation of selected management measures



# Proposed Management Options

# Proposed Management Options



## **3.1 Commercial Yellow Eel Management**

- Issue 1: Coastwide Cap
- Issue 2: Management Response to Exceeding Cap

## **3.2 Timeframe for Yellow Eel Provisions**

## **3.3 Annual YOY Abundance Survey**

## **3.4 Catch and Effort Monitoring Program**

## **3.5 *De Minimis* Status**

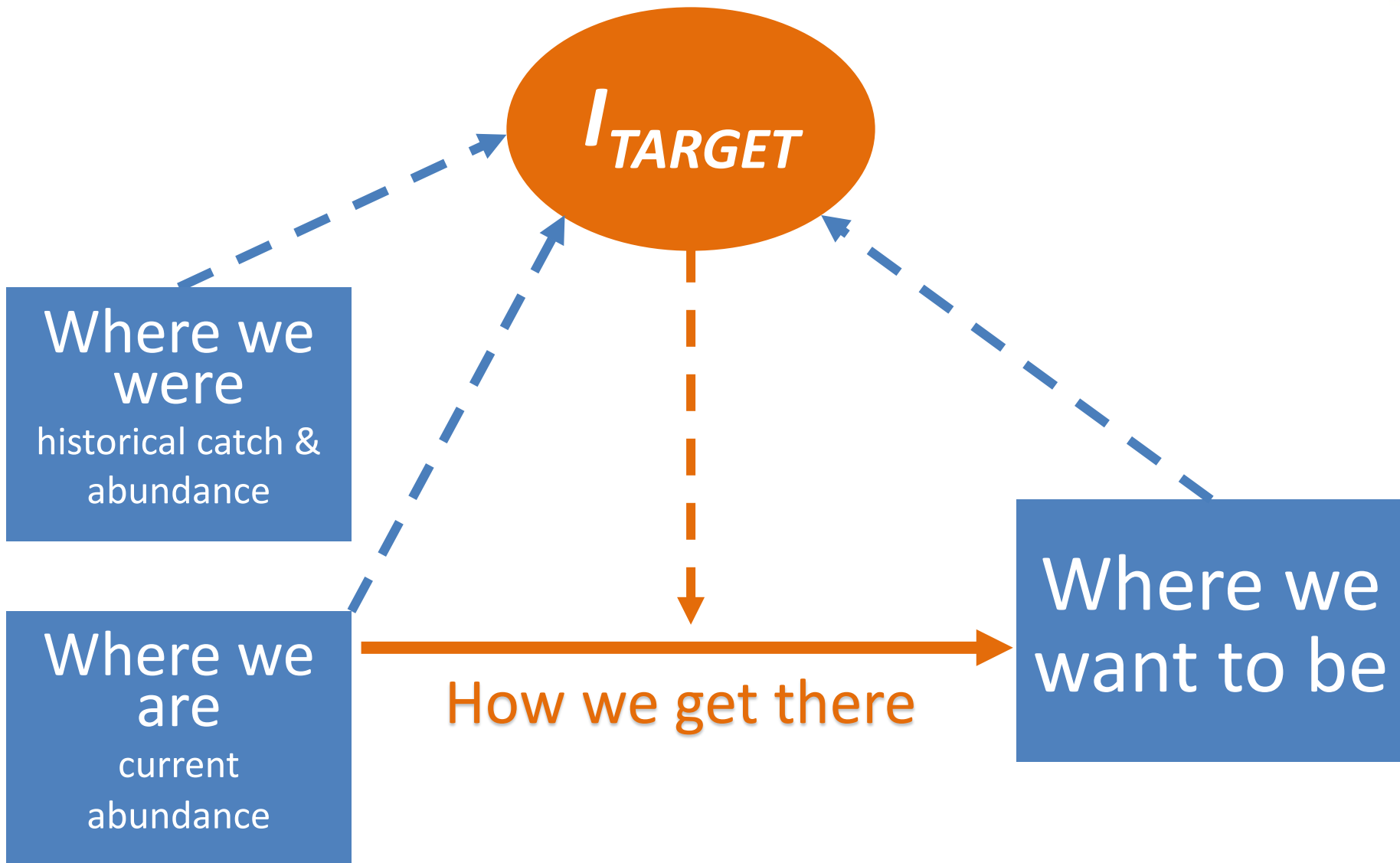
# 3.1 Yellow Eel Management



## Issue 1: Coastwide Cap

- Current cap is 916,473 pounds, based on average landings from 1998-2010
  - **Option 1: Status Quo**
- Addendum proposes alternative caps using  $I_{TARGET}$  tool

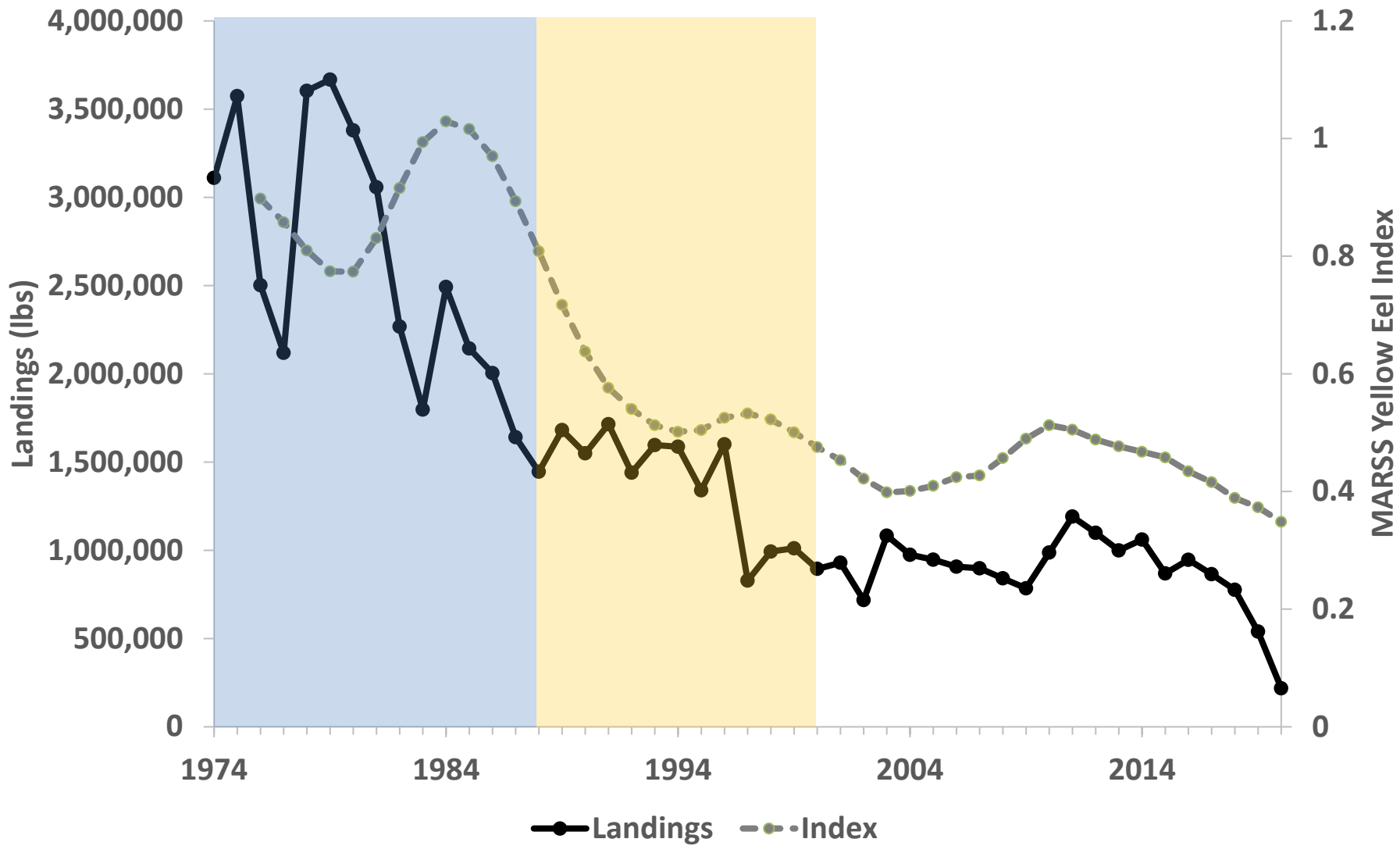
# What is $I_{TARGET}$ ?



# $I_{TARGET}$ Configuration



- Three “knobs” to adjust configuration:
  - 1. Reference period:** a time period in the historical data where population is at a stable or at a desirable level
  - 2. Multiplier:** determines the level of abundance that management is aiming to achieve
  - 3. Threshold:** reflects goals of the fishery and the amount of risk managers are willing to tolerate
    - Lower threshold -> more risk tolerance -> higher catch caps
    - Lower threshold -> less risk tolerance -> lower catch caps



# Coastwide Cap Options



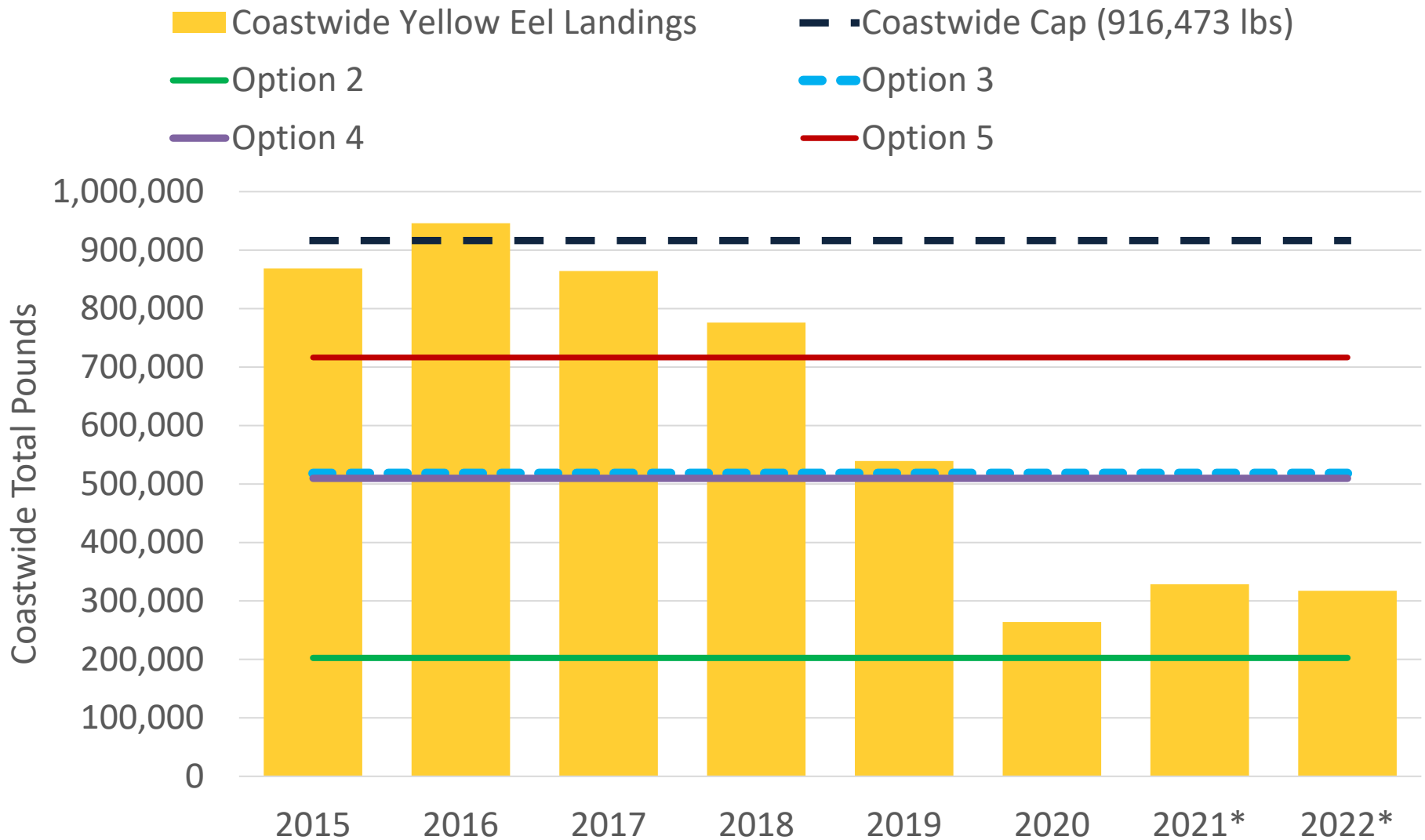
Option	Reference Period	Multiplier Value	Threshold Value	Recommended 2020 Catch (lbs)
2	1974-1987	1.25	0.8	202,453
3	1974-1987	1.25	0.5	518,281
4	1988-1999	1.5	0.5	509,780
5	1988-1999	1.25	0.5	716,497



# 3.1 Yellow Eel Management



## Coastwide Yellow Eel Landings & Caps



# 3.1 Yellow Eel Management



## Issue 2: Management Response to Exceeding Cap

- Option 1: Status Quo
  - If landings exceed cap by 10% for two consecutive years, states with landings  $> 1\%$  of the coastwide landings in the year(s) when the cap is exceeded will be responsible for reducing landings to achieve the coastwide cap in the subsequent year
- Option 2: States with  $>5\%$  of Landings
  - Instead of states with  $>1\%$  of landings, states with landings  $> 5\%$  of the coastwide landings will be responsible for reducing landings to achieve the coastwide cap in the subsequent year

# 3.1 Yellow Eel Management



## Issue 2: Management Response to Exceeding Cap

Year	ME	NH	MA	RI	CT	NY	NJ	DE	MD	PRFC	VA	NC	SC	GA	FL
2014	0.7%	Time series average < 0.1%	0.4%	0.2%	0.1%	3.6%	8.6%	5.9%	58.4%	4.6%	10.3%	5.7%	Time series average < 0.1%	Time series average < 0.1%	1.3%
2015	0.5%		0.3%	0.2%	0.3%	5.8%	10.2%	5.1%	56.8%	3.6%	10.0%	6.7%			0.6%
2016	0.7%		0.2%	0.3%	0.3%	3.8%	7.1%	4.7%	61.7%	6.2%	10.2%	4.2%			0.6%
2017	0.7%		0.1%	0.3%	0.1%	4.8%	9.0%	3.5%	62.6%	3.9%	11.3%	2.9%			0.9%
2018	0.4%		0.0%	0.5%	0.4%	5.1%	9.0%	4.0%	66.3%	4.0%	7.4%	2.3%			0.6%
2019	0.5%		0.3%	0.8%	1.0%	6.1%	14.1%	2.5%	61.5%	5.0%	6.4%	1.5%			0.3%
2020	2.7%		0.0%	0.5%	1.1%	6.2%	9.0%	0.7%	60.6%	9.5%	8.3%	1.2%			0.2%
2021*	0.1%		C	0.6%	1.0%	4.9%	8.0%	1.3%	62.3%	3.2%	14.1%	1.7%			2.8%
2022*	0.3%		C	0.2%	1.1%	8.1%	15.7%	0.9%	56.4%	3.8%	10.6%	1.1%			1.8%

## 3.2 Timeframe for Yellow Eel Provisions



- Option 1: No sunset date; can update cap after 3 years
  - PDT recommends same cap stay in place for a minimum of 3 years; fewer years of data insufficient to evaluate cap performance
- Option 2: No sunset date; can update cap after 5 years
  - 5 years of data more robust for updating cap performance

\*\*Updating the catch cap would be done using the same configuration of  $I_{TARGET}$  selected by the Board

# 3.3 YOY Survey



- Option 1: Status Quo
  - No change in YOY monitoring requirements; states must continue to collect individual length and pigment stage data
- Option 2: Voluntary biological sampling of YOY
  - States would not be required to collect individual lengths and pigment stage of YOY catch
  - States may continue to do so voluntarily
  - Recommended by Technical Committee and SAS

# 3.4 Catch and Effort Monitoring



- Option 1: Status Quo
  - Maintain Addendum I requirement for harvester reporting of trip-level CPUE data (i.e., soak time, number of units of gear fished, and pounds landed)
- Option 2: Voluntary collection of CPUE data for yellow eel
  - States no longer required to collect trip-level CPUE data for yellow eel catch
  - States may continue to collect CPUE data voluntarily
  - Does not apply to glass eel catch
  - TC has no concerns with this option

# 3.5 *De Minimis* Status



- Option 1: Status Quo
  - Continue to use average landings for preceding two years to evaluate *de minimis* status
  - Rationale must be provided
- Option 2: Modify *de minimis* policy for eel to apply the Commission policy
  - A state can be considered *de minimis* if the average landings for the **last three years** is less than 1% of the coastwide landings



# Public Comment Summary



# Public Comments



- **Six public hearings**
  - 37 total attendees
  - 23 comments given
- **10 total written comments**
  - 9 comments from individuals
  - One organization letter
    - Maryland Watermen's Association

Public Hearings	# Attendees	# Comments
NH (Virtual)	3	0
NY (Virtual)	2	0
NJ (Virtual)	8	3
MD (In person)	13	12
DE (Hybrid)	10	7
VA (In person)	1	1
<b>Total</b>	<b>37</b>	<b>23</b>

Total Written Comments Received	
Total Form Letters	0
Organization Letters	1
Individual Comments	9
<b>Total Written Comments</b>	<b>10</b>

# Public Comments



	Options	Hearings			Written Comments	Organization Letter	Total
		MD	DE	VA			
Coastwide Cap	3.1-1 (SQ)	12	7		8	1	28
	3.1-2						0
	3.1-3						0
	3.1-4						0
	3.1-5			1			1
Management Response	3.1.2-1 (SQ)		3				3
	3.1.2-2						0
Timeframe	3.2-1	3	2		1		6
	3.2-2	3					3
YOY Biosampling	3.3-1 (SQ)		3				3
	3.3-2						0
CPUE Reporting	3.4-1 (SQ)		3				3
	3.4-2						0
De Minimis	3.5-1 (SQ)		3				3
	3.5-1						0

# 3.1.1 Coastwide Cap



- **28 favor status quo (916,473 lbs)**
  - No overfished/overfishing status
  - Effort and landings have declined because of the market, and fishing costs, not eel abundance
  - Allows for growth if market recovers
  - Need more data from after COVID
- **1 favors Option 5 (716,497 lbs)**

# 3.2 Cap Timeframe



- **6 favor Option 1 (three years)**
  - The cap should be evaluated again sooner because changes in the indices could result in increased catch cap
- **3 favor Option 2 (five years)**
  - More years of data

# Section 3.3 – 3.5



- 3 supported status quo for all options
  - Did not have a reason to implement changes for YOY biosampling requirements, or *de minimis* policy
  - Concerns about losing harvester CPUE data because it is important for assessing the fishery

# General Comments



- No changes needed for yellow eel management
- If the Board will not go with status quo for the coastwide cap, then Option 5 is the next best option
- Need better data for assessing eel abundance
  - CPUE data would be better if collected by fishermen
- Concerns about illegal catch of undersized eel, foreign aquaculture markets
- Eel catch would be better if horseshoe crab harvest were allowed in NJ
  - Eel catch decreased when female HSC harvest was banned



# **AP Report on Addendum VII**



## AP Feedback on 3.1, Issue 1 (Coastwide Cap)

- Three of five AP members favored status quo, questioning how a cap reduction could be justified in an era of historic low fishing effort and with a stock status that does find overfishing is taking place. This was the dominant position of public comments made at the state meetings.
- While supporting status quo, the AP member most closely connected to the processing and export community acknowledged that Option 5 would cause little short-term disruption. At the same time this member warned that Option 2 is draconian and could bring an end to the commercial fishery altogether.
- One of Maine's AP members expressed no position on the coastwide cap options.
- The AP member from the NGO sector supported Option 3 for the coastwide cap, believing that data supports a more precautionary approach, including data from outside of the ASMFC range.





# **AP Feedback on 3.1, Issue 2 (Management Cap)**

The Panel and its Members Expressed No Preference Between the Two Options.



## AP Feedback on 3.2 (Quota Timeframe)

- Two AP members spoke in support of Option 1, meaning the cap could be updated after 3 years based on better data and improved modeling.
- The other AP members offered no comment on this issue.



## AP Feedback on 3.3 (YOY Biosampling)

- All AP members were in favor of Option 2, making optional the collection of individual lengths and pigments stages during YOY surveys.
- The AP's unanimous position is based on assurances from the ASMFC that the surveys would continue to distinguish the age classes being sampled, i.e., Year 0 (glass eels) or Year 1 (elvers).



# AP Feedback on 3.4 (CPUE Reporting)

- Four of the AP members favor Option 1, status quo. They cited the importance of CPUE information in assessing this data-poor species. They also noted support for this position in the public comments.
- The AP member of longest tenure on the meeting noted that the Technical Committee has previously insisted that favorable catch data cannot be used as a stock indicator unless accompanied by CPUE information, questioning how ASMFC could justify an about-face at a time of historically low effort, when CPUE information provides a unique view of stock status.
- One AP member supported Option 2 on the grounds that it was potentially distracting from other priorities, considering limited resources.



## **AP Feedback on 3.5 (*De Minimis*)**

- The AP members stated unanimously that they do not have strong views on item 3.5 and support Option 2 if that is the Commission's recommendation.



# Additional AP Feedback

- Concerns were raised by at least one Panel member, as well as a public observer, representing the processing and export sector, about the Commission's reliance on the current stock assessment, considering:
  - Three different models in three successive assessments.
  - Use of fishery dependent information, without CPUE, especially in an era of historic low effort.
  - Abundance Index mis-weights fishery independent data that i) come from areas of commercial fishing that comprise only part of the species' vast U.S. range, and ii) gives low-data surveys equal weight to data-rich surveys.
  - Peer review comments in all models, and the lack of reference points, demonstrate its limited authority.

# Board Action for Consideration



- Select management measures
- Approve Addendum VII for management

# Options Summary



Issue	Options	Description
<b>Coastwide Cap</b>	Status Quo	Coastwide cap = 916,473 lbs
	Option 2	Coastwide cap = 202,453 lbs
	Option 3	Coastwide cap = 518,281 lbs
	Option 4	Coastwide cap = 509,780 lbs
	Option 5	Coastwide cap = 716,497 lbs
<b>Management Response</b>	Status Quo	States with >1% of landings
	Option 2	States with >5% of landings
<b>Timeframe for Cap</b>	Status Quo	3 years minimum
	Option 2	5 years minimum
<b>YOY Biosampling</b>	Status Quo	Required collection of individual length and pigment stage
	Option 2	Voluntary collection of individual length and pigment stage
<b>CPUE Reporting</b>	Status Quo	Required collection of trip-level CPUE data
	Option 2	Voluntary collection of data
<b>De Minimis</b>	Status Quo	Based on 2 years of landings
	Option 2	Based on 3 years of landings





Photo Credit: Jen Pyle, NJFW

# Questions?

