

# **Addendum V and Draft Coastwide Cap Overages Policy**



**American Eel Management Board  
October 29, 2019**

# Outline



- Background
- Review document
- Questions
- Consider Board Action

# Background



- Addendum V- approved August 2018
  - New (Yellow eel) Coastwide Cap: 916,473 lbs
  - New Management Trigger: 10% overage ( $\geq 1,008,120$  pounds) for 2 years
  - No allocations; states harvesting  $\geq 1\%$  of coastwide responsible for redux if Management Trigger tripped
  - Working Group (WG) to develop Coastwide Cap Overage Policy
- WG: met 7 times between 2018- 2019
  - Challenge #1: the Coastwide Cap can be exceed between 0-9% for multiple years before management action is required
  - Challenge #2: Lag in addressing overage due to timing of landings
  - WG considered different overage scenarios and drafted different reduction options

# Draft Coastwide Cap Overage Policy



- Managing to the Coastwide Cap
- Proactively monitor landings & encourage voluntary action when overage occurs
- Recommendation: review preliminary commercial yellow eel landings from ACCSP
  - Contingent on landings submitted by states **on time**
- Response strategy when Cap is exceeded
  - Convene WG to evaluate overage
  - Decision Tree for both year 1 and year 2

# American Eel Data Submission



Year data is being evaluated from

- 2016
  - On time: ME-NH, RI,NC
  - Past Deadline: MA,CT-VA,SC-FL
- 2017
  - On time: no state
  - Past Deadline: ALL STATES
- 2018
  - On time: ME-MD,NC-FL
  - Past Deadline: VA



# **Draft Coastwide Cap Overage Decision Tree**

Year 1  
Annual Cap overage is:

*Less than  
5%*

No action.  
Continue to  
monitor  
landings  
annually

*Between 5%  
and 9.9%*

1% states with  
increased landings:  
take voluntary action  
to reduce harvest to  
Cap

*Greater than or equal to 10%*

Did 1% states landings increase?

**Yes, all by 10% or greater.**  
Equal % voluntary action to  
reduce harvest to Cap

**Yes, some =< 10% and some =>10%.**  
50% of reduction needed to get to  
Cap split by all 1% states; remaining  
50% split by 1% states whose  
landings increased by >10%

**No.** Only 1% states with increases  
take voluntary action to reduce  
harvest to Cap

Response to Year 2  
If there was a 5%-9.9% overage in year 1:

Greater than 5%  
overage in year 2:

1% states landings ↑ in year 1- year 2, expand voluntary measures into year 3

For 1% states landings ↑ in year 1 but not year 2, maintain the voluntary measures from year 2 - 3

For 1% states whose landings ↑ in year 2 but did not in year 1, implement voluntary measures in year 3

0%-5% overage in year 2

Maintain the voluntary measures from year 2 - 3

there is an underage in year 2:

Consider relax voluntary measures for year 3



Response to Year 2  
If there was a 10% or greater overage in year 1:

10% or greater overage in year 2:

Initiate an addendum

5%-9.9% overage in year 2:

For 1% states whose landings ↑ in year 1 & 2, expand voluntary measures taken in year 3.

For 1% states whose landings ↑ in year 1 but not year 2, maintain voluntary measures from year 2 - 3

For 1% states whose landings ↑ in year 2 but did not in year 1, implement voluntary measures in year 3

no overage or > 5% overage in year 2:

Maintain voluntary measures into year 3

# Example Timeline if Management Trigger Tripped



Date	Action
Spring 2020	Board reviews 2019 landings. If overage => 10% of the Cap occurred, Board convenes WG.
Summer 2020	WG reviews overage relative w/decision trees and develops report w/ recommended action for Board consideration.
August 2020	Board considers WG report & recommends voluntary action ASAP. Voluntary measures implemented ASAP for 2020 fishing year.
Spring 2021	Board reviews 2020 landings. It is determined an overage =>10% of the Cap occurred. Management trigger tripped. Board initiates Addendum.
Summer 2021	Staff and PDT develop Draft Addendum.
August 2021	Board approves Draft Addendum for Public Comment.
Fall 2021	Public comment period for Draft Addendum.
October 2021	Board finalizes and approves Draft Addendum.
January 2022	Addendum implemented.



# Coastwide Yellow Eel Landings

Year	Total Coastwide Landings
2016	943,808
2017	851,637
<b>2018*</b>	<b>781,615</b>

# Board Action for consideration



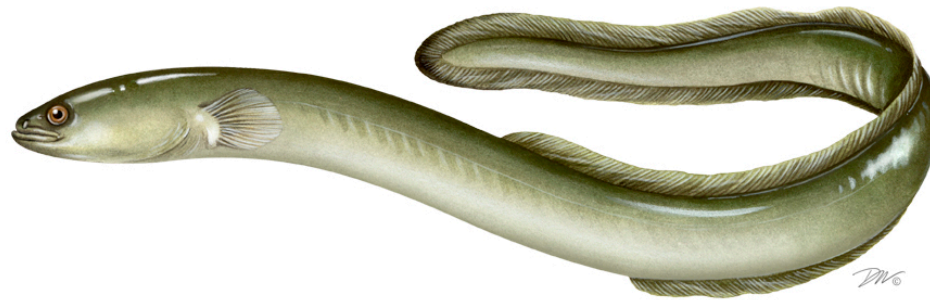
- Approval of Draft Overage Policy
- If approved will be added to Addendum V as an Appendix



**Questions?**



# 2019 American Eel FMP Review



**American Eel Management Board**

**October 29, 2019**

# Outline



- Status of the FMP
- Stock Status
- Status of the Fishery
  - Commercial
  - Recreational
- State Compliance with FMP
- PRT Recommendations

# Status of the FMP



- Addendum V was approved in 2018
- Two Aquaculture proposals were submitted, and approved, for the 2019 season
- Any state that harvests over 750 lbs of glass eel a year must implement a fishery-independent life cycle survey
  - Maine implemented their survey in 2016; no data was collected due staffing issues. The TC anticipates receiving an update on the 2017 survey results later this year.



# Stock Status: 2017 Stock Assessment



- American eel stock status remains depleted.
- No reference points for management use were approved from the 2012 Stock Assessment, and no new reference points were developed during the Update.
- Given the continued depleted status of the resource, the Board initiated an addendum to consider alternative allocations, management triggers, and coastwide caps for both the yellow eel fishery and Maine's quota for the glass eel fisheries (2017).

# Status of the Fishery: Commercial



- State-reported landings of yellow/silver eels were approx. 780,615 lbs in 2018.
  - 8.24% decrease from 2017 to 2018
  - Delaware, Maryland, PRFC, Virginia account for 82% of harvest
  
- Landings of glass eels were reported from Maine and South Carolina.
  - 9,194 lbs in 2018 (Maine only)
  - SC landings are confidential

# Status of the Fishery: Recreational



- As of 2009, recreational data are no longer provided for American eel in CRs.
- This is a result of the unreliable design of MRIP that focuses on active fishing sites along coastal and estuarine areas and the high associated PSE.

# Fishery Management Plan



## Glass Eel Fishery Regulations

- All states must implement YOY survey (2000)
- All states must maintain regulations (2000)
- Max of 25 pigmented eels per one pound of glass eels. Use 1/8" mesh to grade eels (2014)
- Maine glass eel quota of 9,688 lbs with payback (2015)
- Maine implements swipe card monitoring program for daily reporting (2014/2015):
  - Harvester to dealer
  - Dealer to dealer
  - Export from state
- Maine is required to implement life cycle survey (2015)
- No change in regulations

# Fishery Management Plan



## Glass Eel Fishery Regulations

### PRT Review:

- No noted issues on glass eel regulations from state compliance reports

# Fishery Management Plan



## Yellow Eel Fishery Regulations (both Com and Rec)

- Increase in minimum size to 9" (2014)
- ½" x ½" min mesh size for yellow eel pots
- Allowance of 4x4" escape panel of ½" x ½" mesh
- Recreational 25 fish bag limit per day per angler
- Crew and captain allowed 50 fish bag limit per day
- Coastwide harvest cap of 916,473 lbs (implemented in Jan 2019)
- 2 Year Management Trigger of 10% Overage (2019)
- ~~State by state quota requires payback and allows transfers~~

# Fishery Management Plan



## Yellow Eel Fishery Regulations (both Com and Rec)

### PRT Review:

- No noted issues on yellow eel regulations from state compliance reports

# Fishery Management Plan



## Silver Eel Fishery Regulations

- Seasonal closure from Sept 1 – Dec 31, no take except from baited pots/traps and spears (2015)
- One year exemption for weir fishery in Delaware River and its tributaries in NY (2014)
- NY weir fishery exemption continued, but restricted to 9 permits that may be transferred (2015)
- **No change in regulations**



# Fishery Management Plan



## Silver Eel Fishery Regulations

### PRT Review:

- No noted issues on silver eel regulations from state compliance reports

# Fishery Management Plan



## Other Management Measures

- Trip level reporting by both harvesters and dealers at least monthly
- Sustainable fishery management plans:
  - Fishing Mortality Plan
  - Transfer Plan quota from yellow to glass
  - Aquaculture Plan: 200 pounds of glass eels if can demonstrate watershed contributes minimally to spawning stock (requested information changed in 2019)
- All plans must scientifically demonstrate that they will not increase overall fishing mortality

# Fishery Management Plan



## Other Management Measures

### PRT Review:

- Only issue- Massachusetts submitted CR late, received earlier this month

# De minimis



- FMP stipulates that states may apply for *de minimis* status for each life stage if, for the preceding two years, their average commercial landings constitute less than 1% of the coastwide commercial landings for that life stage.
- New Hampshire, **Massachusetts**, Pennsylvania, South Carolina, Georgia, and Florida requested *de minimis* status for their yellow eel fisheries.
- All states that applied for *de minimis* status for yellow eels met the 1% landings criteria.
- South Carolina requested *de minimis* status for glass eels, and met the 1% landings criteria.

# PRT Recommendations



- The PRT recommends the Board consider state compliance as mentioned. Additionally:
  - Consider reevaluating of requirement that states provide estimates of the percent harvest going to food versus bait
  - States work with law enforcement agencies to include information on illegal or undocumented fisheries
  - PRT request NY work to separate yellow and silver eel landings
  - States quantify upstream and downstream passage, and provide information to the TC for evaluation