



Atlantic States Marine Fisheries Commission

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MEMORANDUM

October 23, 2014

To: American Eel Management Board
From: American Eel Working Group
Re: Recommendations on Draft Addendum IV

The American Eel Working Group met via conference call and in-person to discuss the proposed management options contained in Draft Addendum IV. The Working Group was comprised of: Terry Stockwell (ME), Ritchie White (NH), Russ Allen (NJ), John Clark (DE), Tom O'Connell (MD), Louis Daniel (NC) and Ross Self (SC). Based on the discussion the Working Group makes the following recommendations for the Boards consideration:

Proposed Glass Eel Management Measures

Technical Committee (TC) Recommendation: The TC's recommendation at the time of the Working Group meeting was to reduce harvest from 1998 – 2010 average (5,293 pounds). Further analysis and discussion by the Technical Committee resulted in a recommendation for a 12% reduction from the 1998-2010 average as an acceptable precautionary approach (4,658 pounds).

Working Group Recommendations:

Option 2 (2014 Management Measures) – The Working Group supports Option 2 with some modification. While the quota for the 2014 fishing year in Maine was set at 11,479 pounds, the actual harvest was 9,688 pounds. Taking into account the TC recommendations, the Working Group recommends that the quota for Maine from 2015 – 2017 be set at 9,688 pounds annually. Under this option, management measures in South Carolina would remain the same as 2014.

The Working Group supports this quota recommendation for Maine in lieu of reducing landings to at or below the 1998 – 2010 average landing level for the following reasons: 1) uncertainty in the added conservation benefits with a lower quota; 2) socio-economic impacts to local communities; 3) expected increased level poaching and enforcement problems; and 4) expected inability for Maine to complete important life history study. The Working Group also recommends that the quota be re-evaluated after three years (for the 2018 fishing year). This re-evaluation will incorporate information collected through Maine's life cycle monitoring program (Option 10, below).

Option 5 (Quota overage payback) – The Working Group support the deduction, pound for pound, of any quota overage in the following year. The state of Maine is currently implementing this as part of their quota management program.

Option 6 (Glass Eel Harvest Allowance Based on Stock Enhancement Programs) – The Working Group supports Sub-option 6C (25% harvest cap) with some modification. The Working Group notes that the stock assessment was based on data through 2010. Therefore, the Working Group

recommends that stock enhancement programs implemented after January 1, 2011 be considered to allow for the inclusion of any beneficial programs since the stock assessment was released. Option 8 (Aquaculture permitting) – The Working Group supports Option 8. Any harvest of glass eels for commercial aquaculture purposes must be collected under an approved permit.

Option 9 (Reporting requirements) – The Working Group supports Option 9, with some modification. Under this option states or jurisdictions with a glass eel fishery would be required to 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. The Working Group recommends that states with a commercial glass eel fishery harvesting less than 750 pounds be exempt from this requirement as the economic burden would exceed the benefit of this action.

Option 10 (Monitoring requirements) – The Working Group supports Option 10, with some modification. 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. The Working Group recommends that states with a commercial glass eel fishery that harvests less than 750 pounds be exempt from this requirement as the economic burden would exceed the benefit of this action.

Proposed Yellow Eel Management Measures

Technical Committee Recommendation: The TC's recommendation at the time of the Working Group meeting was to reduce harvest from 1998 – 2010 average (907,669 pounds). Further analysis and discussion by the Technical Committee resulted in a recommendation for a 12% reduction from the 1998-2010 average as an acceptable precautionary approach (798,750 pounds).

Working Group Recommendations

Option 8 (Catch Cap) with modification

The Working Group supports Option 8 (Catch Cap), with modification. Taking into account the TC recommendations, the initial catch cap will be set at the 1998 – 2010 harvest level (907,671 pounds) for the 2015 fishing year. Refer to Figure 1 for historical landings compared to the proposed cap.

The Working Group recommends there be two management triggers and an agreed upon management response if either trigger is tripped.

- Trigger 1: If the catch cap is exceeded by more than 10% in a given year (998,438 pounds)
- Trigger 2: If the catch cap is exceeded for two consecutive years regardless of percent over.
- Management Action: If either trigger is tripped, then there would be automatic implementation of Option 2 (Adjusted Yellow Eel Quota, with Allocation Base Years = 2011 – 2013) with a 16% reduction and some modification (see below). After including the updated filtering criteria, the coastwide quota would be set at 907,669 pounds. Refer to Table 1 and Figure 2 for the recommended quota allocation under this program. Refer to Figure 3 for the effect to states under this quota allocation, as compared to their 2010 landings.

First, the Working Group recommends a 16% reduction from Option 2 in order to meet the TC baseline recommendation. Second, the Working Group recommended modifying one part of the

filtering method. The filtering method was included in multiple options in Draft Addendum IV as a way to increase equity in the distribution of the quota. Under the original filtering method, no state is allocated a quota that is more than 10,000 pounds above its 2010 harvest. The Working Group recommends that this be modified so that no state is allocated a quota that is more than 2,000 pounds above its 2010 harvest. This recommendation was made to address the fairness of a state getting a minimum 2,000 pound allocation in comparison to another state being allowed to increase up to 10,000 pounds over their 2010 harvest. Under this new filtering method the initial quota would be set at 893,909 pounds. The difference between this amount and the recommended TC baseline is 13,762 pounds. The Working Group recommends that this difference be split equally among the states that will be negatively impacted by the quota (Rhode Island, New Jersey, Delaware, PRFC, and North Carolina) with the exception of Maryland given their high allocation. Each of the specified states will be allocated an equal portion, up to their 2010 landings.

Additionally, the Working Group recommends that states and jurisdictions be required to approve regulations that would allow for the implementation of a quota management and timely monitoring of harvest no later than March 2016. This would ensure that if this management trigger is activated in the first year of implementation (2015) then the required management action could be taken. The Working Group recommends that states and jurisdictions submit their implementation plans to the Board for review at the 2015 Annual Meeting. Additionally, the Working Group recommends that, if the cap is exceeded and a quota management program is initiated, the Board consider approval of Option 6 (Quota Overage) and Option 7 (Quota Transfers). The Working Group recommends that both the catch cap and quota systems, if implemented, would include all New York American eel landings (i.e. from both the yellow and silver eel fisheries), until otherwise shown to preclude it.

The Working Group supports this recommendation for the following reasons: 1) meets the Technical Committee recommendation; 2) reduces the administrative burden of implementing a quota based management program when there has been little variability in landings since 1998; 3) allows time for jurisdictions to develop regulations and harvest reporting requirements by 2016 to support implementation of a quota based management system if needed which would not be available for 2015; 4) includes management triggers and hard wired action to immediately respond to landings that exceed the 1998-2010 average landing level; and 5) includes a quota management option that provides the most equitable allocation given the variability of landings over time, and consideration of both current and historical fisheries.

State Specific Sustainable Fishing Plans.

The Working Group supports the plans as described under Section 3.1.4 State Specific Sustainable Fishing Plans. The Working Group encourages all request for aquaculture harvest be filed first through the state and not directly to the Commission. Additionally, the Working Group recommends that for plans with a for-profit component, any monitoring include a contribution from or a partnership with the industry to help defray state research costs.

Other Recommendations by the Working Group

Silver Eel Management Measures

The Workgroup discussed the inconsistency with the Board's conservation action on the silver eel fishery in New York, and the Working Group's conservation recommendations for the yellow

and glass eel fisheries. The Working Group included in this report an explanation for why the glass eel fishery should be allowed to fish at a level above the TC's recommendation, and included a recommendation to re-evaluate in 3 years with new life history study results. The Working Group recommends that the Board consider a re-evaluation of New York's silver eel fishery in 2015 or when new becomes available on the composition of the harvest.

Stock Assessment

The Workgroup recommends that the Board Chair and ASMFC staff begin discussions with the TC to determine when the next stock assessment should be pursued, taking into consideration when there will be sufficient new information to invest the resources to initiate.

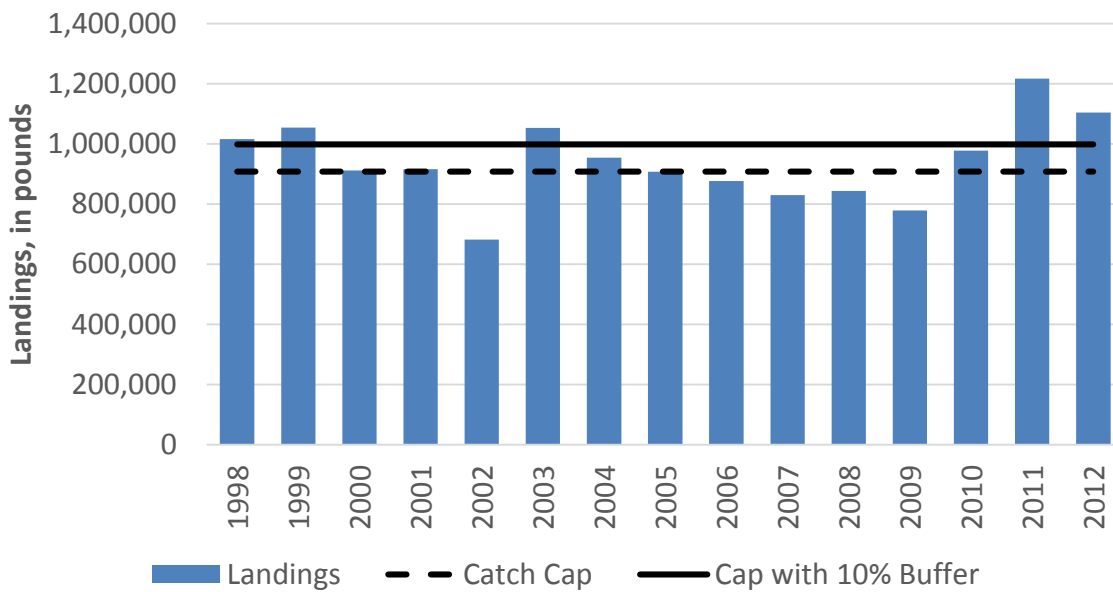


Figure 1. Landings (1998-2010) in comparison to the proposed catch cap and catch cap with 10% buffer.

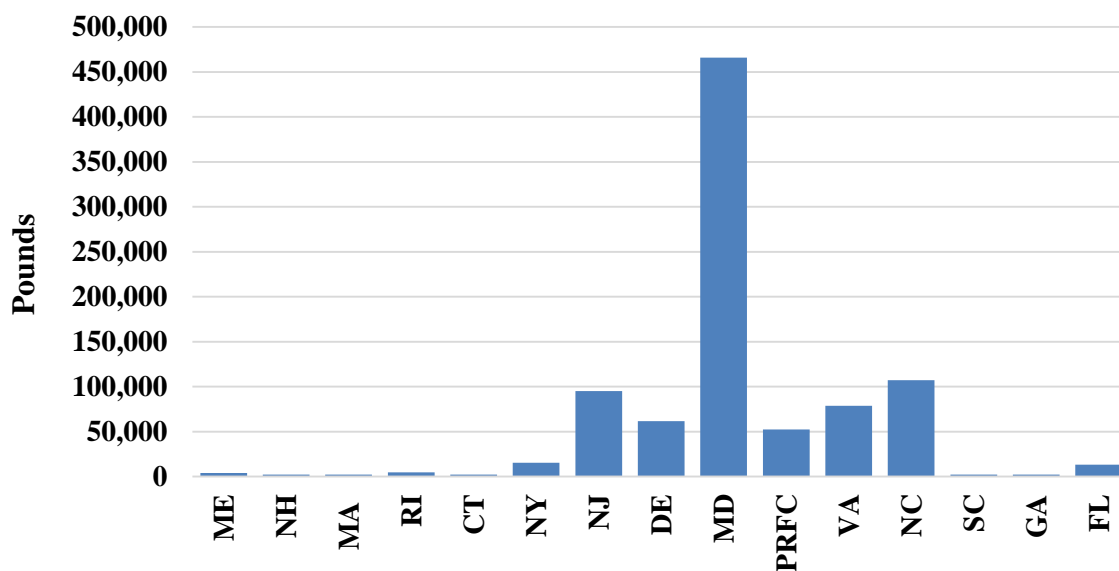


Figure 2. The quota allocation, in pounds, by state under Option 2 with a 16% reduction and modification. This quota would ONLY be implemented if wither management trigger is tripped.

Table 1. Recommended Quota Allocation for the Commercial Yellow Eel Fishery under Option 2 with a 16% reduction and additional modification. This quota would ONLY be implemented if wither management trigger is tripped.

	Allocation	2010 Landings	Updated Quota
Maine	0.90%	2,624	3,907
New Hampshire	0.01%	80	2000
Massachusetts	0.20%	277	2000
Rhode Island	0.30%	4642	4642
Connecticut	0.20%	164	2,000
New York	3.90%	13,220	15,220
New Jersey	10.60%	107,803	94,899
Delaware	8.10%	68,666	61,632
Maryland	52.20%	511,201	465,968
PRFC	5.90%	57,755	52,358
Virginia	9.30%	78,076	78,702
North Carolina	6.80%	122,104	107,054
South Carolina	0.01%	2	2,000
Georgia	0.10%	103	2,000
Florida	1.60%	11,287	13,287
Total	100%	978,004	907,669

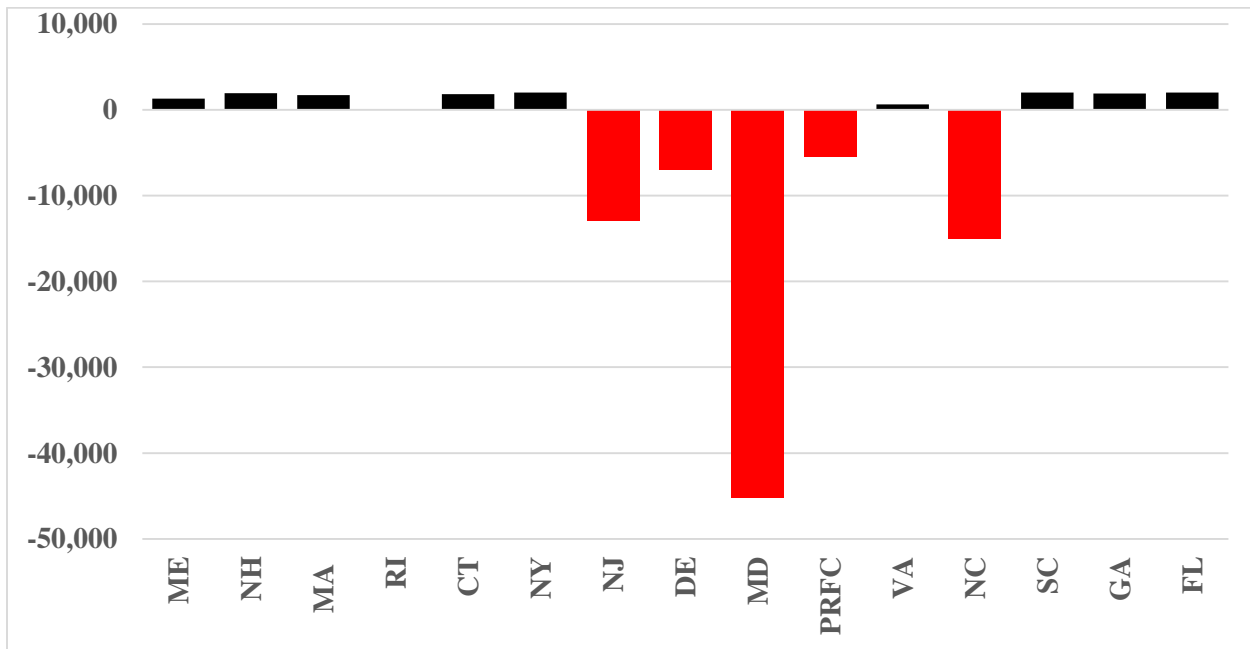


Figure 3. The difference (in pounds) between Option 2 (with a 16% reduction and modifications as described above) and the states harvest in 2010. Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Virginia, South Carolina, Georgia, and Florida would all be allocated an amount at or above their 2010 landings. New Jersey, Delaware, Maryland, PRFC, and North Carolina would all be allocated and amount below their 2010 landings.