

2004 REVIEW OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
FISHERY MANAGEMENT PLAN FOR
AMERICAN EEL
(Anguilla rostrata)

Prepared by:

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AMERICAN EEL
(*Anguilla rostrata*)**

I. Status of the Fishery Management Plan

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| <u>Year of plan's adoption:</u> | 1999 |
| <u>Management unit:</u> | Migratory stocks of American Eel from Maine through Florida |
| <u>States with a declared interest:</u> | Maine through Florida, including District of Columbia, Potomac River Fisheries Commission |
| <u>Active committees:</u> | American Eel Management Board, Plan Review Team, Technical Committee, Stock Assessment Subcommittee, and Advisory Panel. |

II. Status of the Stock

Current stock status for American eel is poorly understood due to limited and non-uniform stock assessment efforts and protocols across the range of this species. Reliable indices of abundance of this species are scarce. Limited data from indirect measurements (harvest by various gear types and locations) and localized direct stock assessment information are currently collected.

Although eel have been continuously harvested, consistent data on harvest are often not available. Harvest data is often a poor indicator of abundance, because harvest is dependent on demand and may consist of annually changing mixes of year classes. Most of the data collections were of short duration and were not standardized between management agencies. Harvest data from the Atlantic coastal state (Maine to Florida), indicate that the harvest has declined after a peak in the mid-1970s. Annual eel catch ranged from 913,251 lbs. to 3,626,936 lbs. between 1970 and 2000. The lowest harvest (between 1970 and 2001) was 898,459 lbs., which occurred in 2001. Because fishing effort data is unavailable, however, finding a correlation between population numbers and landings data is problematic.

As stated in Section 2 of the FMP, the purpose of this management effort is to reverse any local or regional declines in abundance and institute consistent fishery-independent and dependent monitoring programs throughout the management unit.

In 2003, declarations from the International Eel Symposium (AFS 2003, Quebec City, Quebec, Canada) and the Great Lakes Fisheries Commission (GLFC) highlighted concerns regarding the health of American eel stock. Available data points to decreasing recruitment, combined with localized declines in abundance. This information is cause for concern and represents an opportunity for cooperation with other entities such as the GLFC to preserve the American eel stock.

III. Status of the Fishery

American eel currently support important commercial fisheries throughout their range. Fisheries are executed in rivers, estuaries, and ocean. Commercial fisheries for glass eel/elver exist in

Maine, South Carolina, and Florida (though in South Carolina and Florida, no commercial glass eel/elver landings were recorded in 2003), whereas yellow/silver eel fisheries exist in all states/jurisdictions with the exception of Pennsylvania and the District of Columbia.

The commercial eel fisheries in Maine (both glass eel/elver and yellow/silver) have declined since 1998 because of legislation and/or poor market conditions. In 1999, emergency legislation was passed, which instituted a limited entry system for the glass eel/elver fishery, reduced the amount of gear a harvester could use, and decreased the length of the season; fishing effort was reduced by at least 79%. In addition, the market for glass eels declined in 1999, and has remained poor. Harvesters were paid \$10-\$15/pound for glass eels in 1999 and \$25/pound in 2000 compared to upwards of \$300/pound in 1998. The price paid for yellow and silver eels in Maine also has declined since 1999 from \$3-\$4/pound to \$1.25-\$1.75/pound. Harvesters report that the low prices are due to eels being aquacultured in Canada.

Commercial:

Coastwide commercial landings for American eel have declined dramatically from historic highs. Commercial landings information for 2003 is not included because this information was not available through the NOAA Fisheries Statistics and Economics Division when this report was prepared. Commercial landings decreased from the high of 1.8 million pounds in 1985 to a low of 649 thousand pounds in 2002. Landings from Maryland, Virginia and Delaware combined accounted for 55% of commercial landings in 2002, with 41% coming from Maryland and Virginia. The Potomac River Fisheries Commission reported combined landings (2002) for Maryland and Virginia equivalent to 128,595 pounds.

Recreational:

Few recreational anglers directly target eel. Hook and line fishermen, for the most part, catch eel incidentally when fishing for other species. The NMFS Marine Recreational Fisheries Statistics Survey (MRFSS), which has surveyed recreational catch in ocean and coastal county waters since 1981, shows a declining trend in the catch of eel during the latter part of the 1990's. According to MRFSS¹, 2003 recreational total catch was 156,381 fish, which represents a more than three-fold increase in number of fish from 2002 (44,043 fish). New Jersey represented 46% of the recreational American eel catch and 69% of the recreational American eel harvest in 2003. About 80% of the eel caught were released alive by the anglers in 2003 (MRFSS 2003 total recreational harvest was 31,032 fish). Eel are often purchased by recreational fishermen for use as bait for larger gamefish such as striped bass, and some recreational fishermen may catch eels and then utilize them as bait.

¹ MRFSS Data for American Eel are unreliable. Due to data collection problems with the MRFSS telephone survey during Waves 2-3, 2002, preliminary estimates for this period are based upon pooled data from the previous three years.

| Current Commercial Regulations by State as of November 2004* | | | |
|---|-------------------|--|---|
| <u>State</u> | <u>Size Limit</u> | <u>License/Permit</u> | <u>Other</u> |
| ME | | | |
| NH | 6" | Commercial saltwater license and coastal harvest permit, monthly reporting | |
| MA | 6" | Commercial permit, monthly reporting | Nets, pots, spears, and angling only. Each of 52 coastal towns has its own regulations. |
| RI | 6" | Commercial fishing license required for the sale of American Eel | |
| CT | 6" | | |
| NY | 6" | License required to sell | Various gear restrictions |
| NJ | 6" | License Required | Various gear restrictions |
| PA | 6" | No commercial fishery | |
| DE | 6" | License Required | Commercial fishing in tidal waters only |
| MD | 6" | License required in tidal waters, limited entry, mandatory monthly reporting | Allowance of 25 eels less than 6 inches daily for commercial purposes |
| DC | 6" | No commercial fishery | |
| PRFC | 6" | | |
| VA | 6" | License with two-year delayed entry system, mandatory monthly reporting | Mesh size restrictions on eel pots |
| NC | 6" | Standard Commercial Fishing License for all commercial fishing | Mesh size restrictions on eel pots |
| SC | 6" | Permits by gear and area fished, mandatory monthly reporting, license for all commercial fishing and sale | Various gear restrictions |
| GA | 6" | Personal commercial fishing license and commercial fishing boat license, harvester/dealer reporting required | Various gear and area restrictions |
| FL | | Permit if using horseshoe crabs as bait | |
| * For specifics on licenses, gear restrictions, and area restrictions, please contact the individual state. | | | |

| Current Recreational Regulations by State as of November 2004** | | | |
|--|-------------------|--|--|
| <u>State</u> | <u>Size Limit</u> | <u>Possession Limit</u> | <u>Other</u> |
| ME | | 50 eels/person/day | |
| NH | 6" | 50 eels/person/day | Coastal harvest permit needed if taking eels other than by angling, monthly reporting required |
| MA | 6" | 50 eels/person/day | Nets, pots, spears, and angling only Each of 52 coastal towns has its own regulations |
| RI | 6" | 50 eels/person/day | |
| CT | 6" | 50 eels/person/day | |
| NY | 6" | 50 eels | Possession for use as bait ONLY; 14" maximum size in the Hudson and East Rivers |
| NJ | 6" | 50 eels/person/day | |
| PA | 6" | 50 eels/person/day | Gear restrictions, Regulation of bait dealers |
| DE | 6" | 50 eels/person/day | Two trap limit |
| MD | 6" | No creel limit in tidal areas, 25 eel limit in non-tidal areas | |
| DC | 6" | 10 eels/person/day | Five trap limit |
| PRFC | 6" | 50 eels/person/day | Gear restrictions |
| VA | 6" | 50 eels/person/day | Recreational license, two pot limit, mandatory annual catch report, mesh size restrictions on eel pots |
| NC | 6" | 50 eels/person/day | Gear restrictions, noncommercial special device license, allowed two eel pots under Recreational Commercial Gear license |
| SC | none | none | Gear restrictions, two pot limit |
| GA | none | none | Harvest using minnow seines is prohibited |
| FL | none | none | Gear restrictions, mesh size restrictions ensure that harvested eels are minimum 12" long |
| ** For specifics on licenses, gear restrictions, and area restrictions, please contact the individual state. | | | |

IV. Status of Research and Monitoring

The FMP requires States/jurisdictions with a declared interest to conduct an annual young-of-the-year survey for the purpose of monitoring annual recruitment of each year's cohort. The FMP does not require any research initiatives in participating states/jurisdictions. Nonetheless, several research needs have been identified for American eel to further understand the species' life history, behavior and biology. Research needs for American eel include:

1. Documentation of the commercial eel fishery should be more accurate so that our understanding of participation in the fishery and the amount of directed effort could be known.
2. A stock assessment committee should identify the best stock assessment methods for American eel.
3. Investigate, develop, and improve technologies for American eel passage upstream and downstream at various barriers for each life stage. In particular, investigate low-cost alternatives to traditional fishway designs for passage of eel.
4. Investigate survival and mortality rates of different life stages (leptocephalus, glass eel, yellow eel, and silver eel) to assist in the assessment of annual recruitment. Such research could be aided by continuing and initiating new tagging programs with individual states.
5. Evaluate the impact, both upstream and downstream, of barriers on eel with respect to population and distribution effects. Determine relative contribution of historic loss of habitat to potential eel population and reproductive capacity.
6. A coast wide sampling program for American eel should be formulated using standardized and statistically robust methodologies.
7. Tagging Programs: A number of issues could be addressed with a properly designed tagging program. These include:
 - Local and regional movement and migration patterns
 - Natural, fishing, and/or discard mortality; Survival
 - Growth
 - Validation of aging method(s)
 - Abundance
 - Reporting rates
 - Tag shedding or tag attrition rate
8. Regular periodic stock assessments and establishment of sustainable reference points for eel are required to develop a sustainable harvest rate in addition to determining whether the population is stable, decreasing, or increasing.
9. Contaminant effects on eel and the effects of bioaccumulation with respect to impacts on survival and growth (by age) and effect on maturation and reproductive success should be researched.
10. Economics studies are necessary to determine the value of the fishery and the impact of regulatory management.
11. Investigate: fecundity, length and weight relationships for females throughout their range; growth rates for males and females throughout their range; predator-prey relationships; behavior and movement of eel during their freshwater residency; oceanic-behavior, movement and spawning location of adult mature eel; and all information on the leptocephalus stage of eel.

12. Assess characteristics and distribution of eel habitat and value of habitat with respect to growth and sex determination.
13. Triggering mechanism for metamorphosis to mature adult, silver eel life stage with specific emphasis on the size and age of the onset of maturity, by sex. A maturity schedule (proportion mature by size or age) would be extremely useful in combination with migration rates.
14. The historic participation level of subsistence fishers in wildlife management planning needs to be reviewed, and relevant issues brought forth with respect to those subsistence fishers involved with American eel.
15. Examination of the mechanisms for exit from the Sargasso Sea and transport across the continental shelf.
16. Mechanisms of recognition of the spawning area by silver eel, mate location in the Sargasso Sea, spawning behavior, and gonadal development in maturation should be researched.
17. Age at entry of glass eel into estuaries and fresh waters should be examined.
18. Location and triggering mechanism for metamorphosis from leptocephalus to eel should be examined.
19. Migratory routes and guidance mechanisms for silver eel in the ocean should be examined.
20. The degree of dependence on the American eel resource by subsistence harvesters such as Native American Tribes, Asian and European ethnic groups, etc, needs to be investigated.
21. Examine the mode of nutrition for leptocephalus in the ocean.
22. Provide analysis of food habits of glass eel while at sea.

Completed Research Needs

Workshop on aging and sexing techniques should be considered to increase the accuracy of data collected in coastwide sampling program.

Reference: ASMFC. 2001. Proceedings of the Workshop on Aging & Sexing American Eel. ASMFC Special Rep. n. 72.

V. Status of Management Measures and Issues

The FMP required that all states/jurisdictions conduct an annual young-of-the-year (YOY) abundance survey by 2001 in order to monitor annual recruitment of each year's cohort. In addition, the FMP requires all states/jurisdictions to establish a minimum recreational size limit of six inches and a recreational possession limit of no more than 50 eels per person, including crew members involved in party/charter (for-hire) employment, for bait purposes during fishing. Recreational fishermen are not allowed to sell eel without a State license permitting such activity. Commercial fisheries management measures stipulate that states/jurisdictions shall maintain existing or more conservative American eel commercial fishery regulations, including gear specification contained in Table 2, for all life stages.

In addition to these mandatory regulations, federal agencies are working to implement the recommendations to the Secretaries as listed in the FMP.

VI. Current State-by-State Implementation of FMP Compliance Requirements (as of November, 2004)

The States of New Hampshire, Massachusetts, Pennsylvania, South Carolina, Georgia, Florida, and the District of Columbia have been declared *de minimis* states and continue to meet such criteria. Their landings for 2001 and 2002 are well below the standard for *de minimis* of less than 1% of coastwide commercial landings for 2001 and 2002.

The PRT reviews state compliance on an annual basis. See Table 1 for current status of state compliance. The annual YOY abundance survey as well as all commercial and recreational management measures for American eel are considered compliance elements in the FMP.

TABLE 1. State Compliance Matrix

| ME | NH | MA | RI | CT | NY | NJ | PA | DE | MD | PRFC | DC | VA | NC | SC | GA | FL |
|----|----|----|----|----|----|----|----|----|----|------|----|----|----|----|----|----|
| Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |

NOTE: Y = State/jurisdiction is in compliance
 N = State/jurisdiction is not in compliance

VII. Recommendations/findings of the Plan Review Team

1. The PRT strongly recommends that all states implement mandatory reporting requirements to increase accuracy in estimating state and coastwide landings.
2. The PRT requests that state personnel highlight notable trends in annual reports.
3. The PRT continues to express concern over the lack of data available for states to report landings by lifestage.