

Introduction

The Atlantic States Marine Fisheries Commission (ASMFC) was formed by the fifteen Atlantic Coast states in 1942 to coordinate the conservation and management of the near shore fishery resources shared by the states. The authority to manage American eel lies with the coastal states and is coordinated through the ASMFC under the authority of the Atlantic Coastal Fisheries Cooperative Management Act.

By federal law North Carolina must enact the requirements of ASMFC Fishery Management Plans (FMPs) or risk federal sanctions against North Carolina fisheries. The N.C. Marine Fisheries Commission (MFC) chose to adopt all ASMFC finfish FMPs as North Carolina minimum measures through a NC Interjurisdictional Fishery Management Plan (IJ FMP). American eel is one of the species included in the IJ FMP.

Process

The ASFMC has determined that changes to the existing management program for American eel are necessary to meet the goals of the FMP and has developed a draft addendum to address these changes. An addendum is used to adapt components of the management program to changing circumstances within the fishery. It differs from a FMP amendment in two key ways: 1) a shorter process with one round of public hearings; 2) generally addresses a specific management measure being proposed.

The ASMFC is seeking public input on the proposed management change described in the addendum. After this phase of public input, the ASMFC will evaluate comments received on the proposed measures and make any necessary changes to the addendum. The ASMFC will then choose and finalize the management measures in the addendum and the effective date of the changes.

Purpose

The purpose of this North Carolina Public Information Brochure (PIB) is to inform the NC public of issues under consideration by the ASMFC

and any potential impacts to North Carolina's fisheries so that the public has an opportunity to comment on:

- ◆ Changes observed in the fishery;
- ◆ Actions that should or should not be taken in terms of management, regulation, or enforcement
- ◆ Other concerns about the resource or the fishery.

Input received during the public comment process can have a major influence in the outcome of the final addendum.

Current Management

The MFC has implemented the following regulatory requirements for American eel:

1. A minimum size limit of 6 inches total length and a recreational harvest limit of 50 eels per person per day;
2. A two eel pot limit for recreational fishing;
3. A minimum mesh escape panel requirement in commercial eel pots;
4. Dealers are required to report American eel landings through the North Carolina Trip Ticket program, and harvesters are required to report landings through the Eel Log Book program instituted in 2007

American Eel Life Stages

American eel spawn in the Sargasso Sea, an area of the Atlantic Ocean east of the Bahamas. The eggs hatch and ocean currents transport larval and early juvenile eel to the coast. Young, clear "glass eel" grow in fresh, brackish, and marine waters, becoming yellow eels, before reaching the silver eel life stage upon nearing sexual maturity. Silver eel migrate to the Sargasso Sea, completing sexual maturation en route, where they spawn and die.

North Carolina American Eel Fishery

North Carolina commercial fishermen landed 34,486 pounds of eel in 2007, a 66 percent reduction from the prior 10-year average of 99,760 pounds. From 1997 to 2006, landings fluctuated from a high in 2003 of 172,000 pounds to a low of 33,580 pounds in 2006.

Status of the Stocks

A 2006 stock assessment was inconclusive regarding the status of American eel. Although available data for American eel in the United States is not sufficient for a reliable assessment of population size or fishing mortality rates, the latest information indicates the abundance of yellow eel has declined in the past two decades and the stock is at or near low levels. Eel abundance will likely continue to decline unless mortality decreases and the number of young eels in the population increases.

Management Issue

ASMFC's Addendum II for American Eel proposes measures to protect adult (silver) eel during their spawning migration and halt further declines in juvenile and adult eel populations. ASMFC is considering management measures which would increase egg production up to 100 percent by reducing coastwide commercial landings up to approximately 52 percent

Management Options

Size Limits (to protect out-migrating silver eels)

Option 1: *Status Quo*-States and jurisdictions maintain their current size limits.

Option 2: *Sort Catch with Grader*-Use a grader to sort eels at the point of harvest.

Option 3: *Maximum Weight*-Weigh eel at the dock, not the site of harvest.

Option 4: *Maximum Length*-Implement maximum size limits coastwide (except for *de minimis* states).

Option 5: *Slot Limit*

Gear restrictions

Option 1: *Status Quo*-States and jurisdictions maintain all current gear restrictions.

Option 2: *Limited Diameter of Eel Pot Throat Opening*-Restrict throat opening to an eel pot to a specific diameter to limit the size of eels that are captured in pots

Seasonal Closure (likely within Oct-Dec timeframe for N.C.)

A seasonal closure for American eel will protect all life stages and allow all silver eel to migrate to

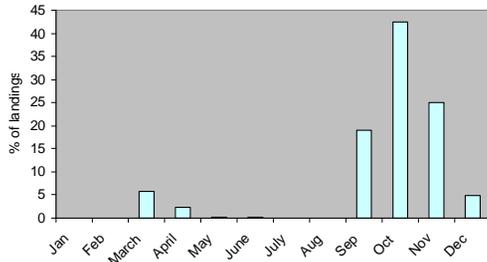
spawning waters, regardless of size. The length of the spawning migration is not uniform along the coast, and the timing is unknown for N.C. Therefore timing of seasonal closures would vary by state. During seasonal closures, all eel pots or other eel targeting gear would be removed from the water.

Option 1: *Status Quo*-States and jurisdictions maintain their current seasons.

Option 2: *90-Day Seasonal Closure*

Option 3: *60-Day Seasonal Closure*

Option 4: *30-Day Seasonal Closure*



Combination of Maximum Size Limit and Seasonal Closure

The American Eel Management Board may consider a combination of measures to achieve the stated goal. The following options are included to illustrate potential combination of options. The Management Board may select one of the following options or develop an alternate combination for approval in Addendum II.

Option 1: *22" Maximum and a 30-day Fall Closure*

Option 2: *23" Maximum and a 30-day Fall Closure*

Option 3: *22" Maximum and a 14-day Fall Closure*

Option 4: *23" Maximum and a 14-day Fall Closure*

Total Length (Inches)	% Frequency	Total Length (Inches)	% Frequency
7	0.03	18	1.54
8	0.08	19	1.14
9	0.61	20	0.76
10	6.32	21	0.99
11	29.26	22	0.63
12	31.29	23	1.67
13	9.6	24	0.58
14	7.18	25	0.13
15	3.74	26	0
16	3.23	27	0.05
17	1.16	31	0.03

The length frequency distribution of American eels captured in the Pamlico River in 1996 (FRG-95-105)

Recommendations For Improving Upstream And Downstream Passage Of American Eel

Recommendations for Federal Energy Regulatory Commission Relicensing

Option 1: *Status Quo*

Option 2: *The Commission strongly encourages member states and jurisdictions, as well as the US Fish and Wildlife Service, to consider and mitigate, if possible, other factors that limit eel survival.*

Contact information:

Public comments will be accepted until 5:00 p.m. October 16, 2008. A public hearing will be held in NC on October 9, 2008, 6 pm, at the DMF Washington Office. Mail, fax or email written comment to the following address:

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For more information on North Carolina's eel fishery, contact:

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North Carolina Division of Marine Fisheries Public Information Brochure for the Atlantic States Marine Fisheries Commission Addendum II to the Interstate Fishery Management Plan for American Eel

