



Atlantic States Marine Fisheries Commission

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MEMORANDUM

July 25, 2017

To: American Eel Management Board

From: Law Enforcement Committee

RE: LEC Comments on Revised North Carolina Aquaculture Plan for American Eel

The Law Enforcement Committee (LEC) of the Atlantic States Marine Fisheries Commission (ASMFC) met via conference call on July 25, 2017 to review and provide comments on the North Carolina Aquaculture Plan for American Eel submitted pursuant to Addendum IV to the ASMFC Interstate Fishery Management Plan for American Eel. The following members were in attendance:

LEC: Vice Chairman, Capt. Steve Anthony (NC); Dep. Chief Kurt Blanchard (RI); Asst. Dir. Tim Donovan (NOAA OLE); Lt. Tom Gadomski (NY); Sgt. Greg Garner (SC); Special Agent-in-Charge Honora Gordon (USFWS); Capt. Doug Messeck (DE); Katie Moore (USCG); Maj. Pat Moran (MA); Director Kyle Overturf (CT); Capt. Scott Pearce (FL); Capt. Jason Snellbaker (NJ)

OTHER PARTICIPANTS: Michelle Duval (NC); Dean Nelson (NC); Eric Provencher (NOAA OLE); Jeff Radonski (NOAA OLE); Jeff Ray (NOAA OLE)

STAFF: Kirby Rootes-Murdy; Mark Robson; Megan Ware

Kirby-Rootes Murdy of ASMFC staff briefed the LEC on the updated aquaculture plan and reviewed changes in the proposal from the previous year. Significant changes of potential interest reviewed by the LEC were:

- Expanding season by one month
- Expanding allowable harvest areas
- Allowing Irish Eel Ladder as harvest gear
- Removing requirement for a Net ID Number
- Increasing number of allowable harvesters and mates (from 1H/1M to 3H/6M)
- Doubling the total pieces of gear allowed (from 15 to 30)
- Extending period of active fishing gear in the water (from 1/1-2/28 to 1/1-5/30)
- Removing requirement to fish nets at least once every 24 hours
- Removing requirement to remove nets from the water at certain periods
- Removing requirement for tamper evident tags when gear is fishing
- Moving requirement to provide GPS coordinates of each net once set or if multiple nets are set the same day, that coordinates be provided once all nets have been set as a "Before Harvest" condition, and placing it as a "After Harvest condition
- Removing requirement to provide names of individuals involved daily (only reported one time at beginning of season unless changes or additions to names)
- Removing requirement to provide description and registration of vessel and vehicle daily (only reported one time at beginning of season unless changes or additions)

- Removing Requirement to call in the total harvest in pounds prior to leaving the last harvest site, traveling directly to the designated landing site, or offloading and transporting directly to the facility once at the designated landing site.
- Extending reporting period of the total daily harvest in pounds from 12:00pm to 5:00pm (on the day following harvest)

The LEC defers to and acknowledge the judgement and expertise of North Carolina enforcement personnel in monitoring harvest activity associated with this plan. However, after reviewing the changes and hearing the rationale for the modifications from North Carolina participants, several members of the LEC nonetheless expressed some concern and reservations about the removal of so many basic oversight provisions that were in place in the prior year's pilot proposal. Members expressed concern that loosening the reporting requirements, combined with expansion of fishing opportunity under the plan, provide a greater opportunity for illegal activity similar to what has been experienced first-hand in other states. LEC members emphasized that this concern was in no way intended to reflect on the facility operator (AEF), and was comfortable that North Carolina management and enforcement officials have established a cooperative relationship with the facility operator.

In summary, the LEC cautiously accepts the proposal in light of North Carolina's enforcement capabilities to monitor and patrol harvest areas and to conduct inspections and surveillance as needed to ensure compliance. This position is tempered by an over-arching concern about the history and extent of illegal harvest of glass eels that has been experienced in other states, and the increasing level of enforcement resources that might be necessary to adequately safeguard the fishery. The committee has consistently asked the management boards to consider law enforcement resources and the potential effects to other enforcement efforts when developing or revising management plans.

The LEC appreciates the opportunity to provide advice and recommendations regarding the management of American Eels.