



**STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 7, 2014
Environment Committee

Joint Testimony Submitted by Interim Commissioner Robert J. Klee and Commissioner Steven K. Reviczky
Presented By Deputy Commissioner Susan Whalen

Raised House Bill No. 5417 - AN ACT ESTABLISHING A SEASON FOR THE TAKING OF GLASS EELS

Thank you for the opportunity to present testimony regarding Raised House Bill No. 5417 – An Act Establishing a Season for the Taking of Glass Eels. The Departments of Agriculture and Energy and Environmental Protection (DEEP) welcome the opportunity to offer the following testimony.

DEEP supports the intent of this proposal which is to ensure that Connecticut commercial fishermen enjoy fair and equitable access to a valuable marine resource comparable to fishermen in other Atlantic coast states. However, we are concerned that the proposed timing (January 1, 2015) does not line up well with advance decisions that need to be made at the federal level and that law enforcement concerns need to be addressed.

Repeal of the statutory prohibition on glass eel harvest is appropriate in that the Atlantic States Marine Fisheries Commission (Commission) is currently considering an amendment to the American eel fishery management plan which could potentially allow states to reopen glass eel fisheries on a limited basis. The Commission has management authority over American eel fisheries between Maine and Florida pursuant to the federal Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 71). At present only Maine and South Carolina are authorized to harvest this early life stage of the American eel.

Amendment general statutes section 26-128a and the authorization of DEEP regulations to establish an open season will position Connecticut to move at the earliest practical time to allow glass eel harvest if the Commission authorizes it. The world aquaculture market demand for glass eels has increased dramatically in recent years, driving the value of this fishery to over \$40 million in 2013 as prices have risen to \$2,000+ per pound. This exceptional value has in turn compelled the Commission to explore options to share access to the glass eel fishery among all interested states.

However, the Commission is mindful that any plan amendment that allows more states to participate in the glass eel fishery must be crafted to simultaneously achieve a higher overall level of eel conservation given this species “depleted” population status. This depleted condition led the U.S. Fish and Wildlife Service (USFWS) to find in 2011 that there is substantial information to warrant listing American eel as threatened under the Endangered Species Act. Under a settlement agreement the USFWS has until September 30, 2015 to publish a finding relative to such listing.

American eels hatch in the mid-Atlantic Ocean and the larvae are dispersed along the East Coast via ocean currents. Glass eels move inshore in the early spring and ascend coastal streams, colonizing inland habitat. Dams may partially or completely block their migratory path and limit their distribution. The eels remain in freshwater for up to 20 years before migrating back to the ocean to reproduce. Hydroelectric turbines and

intakes for drinking water and industry pose risks to these fish. Connecticut has been a leader in promoting eel conservation and providing specialized structures to allow eels to circumvent barrier dams. Despite these efforts, eel populations have experienced significant declines over the past 25 years.

The glass eel fishery involves simple harvesting techniques in coastal streams during late winter/early spring utilizing dip nets and portable fish traps (“fykes”). Fishing generally takes place at night.

It is unlikely that the Commission will authorize glass eel harvest in Connecticut or other new states in time for the 2015 season or before the USFWS has published its ESA finding due by September 30, 2015. We therefore suggest that the earliest the Agency would be able to adopt regulations to establish an open season would be sometime after January 1, 2016.

This fishery has historically posed significant law enforcement challenges due to the high value of the catch, locations fished and time of day. Illegal harvest and sale of glass eels has become an issue of significant concern. Considerable enforcement effort would be required to ensure compliance, including monitoring of wholesale and retail markets. Last year, illegal glass eel cases were made in New Jersey, Rhode Island, Massachusetts, New Hampshire, and Maine. In Connecticut, DEEP EnCon Officers along with Agents from the USFWS seized approximately \$50,000 worth of illegal glass eels from a retail dealer. The opening of a glass eel fishery in Connecticut would increase the likelihood that illegally harvested glass eels would be taken and/or moved through the state. Enforcement capacity will need to be increased substantially in order to effectively implement a glass eel fishery in Connecticut.

Both the Department of Agriculture and DEEP believe establishment of a glass eel season, though appropriate regulations developed by DEEP, would be beneficial to Connecticut’s aquaculture and seafood sectors.

Thank you for the opportunity to present testimony on this proposal. We welcome the opportunity to work with the proponents of this bill to address the concerns raised in our testimony. If you should require any additional information, please contact Robert LaFrance, DEEP’s Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov).