



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

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F/SER:PW

FEB 28 2011

Mr. Robert Mahood
Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

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Dear ~~Mr. Mahood~~:

NOAA's National Marine Fisheries Service, Southeast Regional Office (SER), has reviewed the *Fishery Ecosystem Plan of the South Atlantic Region* (FEP) and other material provided by staff of the South Atlantic Fishery Management Council (Council) to support the five-year review of the Council's essential fish habitat (EFH) designations. The regulations implementing the Magnuson-Stevens Fishery Conservation and Management Act require the EFH components of Fishery Management Plans (FMP) to be reviewed no less often than every five years to determine if those components require revision or amendment. By letter dated June 9, 2009, SER provided the Council with guidance on the substantive requirements of this review and noted that the FEP and related Comprehensive Ecosystem-Based Amendments provided a framework for completing the review. In that letter, SER noted that while development of the FEP was influenced by the emerging requirements and guidance for EFH five-year reviews, the FEP reflects Council goals and needs that are separate from (but not in conflict with) the EFH five-year review.

EFH Five-year Review Process

Volume 1 of the FEP documents the process used for developing the FEP. The FEP is based on the Council's *Habitat Plan for the South Atlantic Region*, which was completed in 1998 and is the technical support document upon which the current EFH designations are based (with the exception of dolphin and wahoo, whose EFH designations occurred after release of the *Habitat Plan for the South Atlantic Region* and comprehensive EFH amendment). Approximately 30 technical work groups contributed to development of the FEP by adopting relevant sections of the *Habitat Plan for the South Atlantic Region* and the Dolphin/Wahoo FMP after carefully reviewing those sections, revising and updating those sections as needed, and developing new sections for the FEP. Collectively, the technical work groups included over 100 staff from federal, state, and local agencies; universities, research institutions, and non-governmental organizations. This team included staff from SER, the Southeast Fisheries Science Center, and



the NOAA Center for Coastal and Ocean Science. The FEP and its recommendations were reviewed during 10 public hearings across four states from March 2008 to February 2009 along with Comprehensive Ecosystem-Based Amendment 1 and the scoping for Comprehensive Ecosystem-Based Amendment 2.

Volume II of the FEP describes the principal aquatic habitats within the Atlantic Southeastern U.S.; federally managed and state managed fishery species within the Atlantic Southeastern U.S.; the ecological functions of the habitats with respect to the fishery species; and the status of each fishery, noting species such as red drum that no longer are managed under federal FMPs and species such as dolphin and wahoo whose EFH designations occurred after release of the *Habitat Plan for the South Atlantic Region* and comprehensive EFH amendment. Volume III provides socioeconomic descriptions of individual fishing communities and fisheries managed by the Council. Volume IV reviews non-fishing threats to the habitats that support fisheries, state programs to protect fishery habitat, current designations of EFH and Habitat Areas of Particular Concern (HAPC), and how the current EFH and HAPC designations are represented in spatial datasets served from the Council's website. Volume IV of the FEP also describes the gears used within each fishery and the effects of those gears on habitat.

Results of the EFH Five-year Review

Based on the new information in the FEP and comments received during its development, Council staff and stakeholders recommended three changes to EFH and HAPC designations. These changes are being pursued through Comprehensive Ecosystem-Based Amendment 2, which is currently undergoing public hearings. These recommended changes are:

- Develop HAPC designations for golden tilefish and blueline tilefish. These designations are needed because the current HAPC designation for the snapper/grouper complex focuses on hardbottom habitat. While such a focus is appropriate for most species in the complex, it is not relevant for tilefish due to differences in their life history relative to other species managed under the FMP for snapper and grouper. New information developed by the Southeast Fisheries Science Center, South Carolina Department of Natural Resources, and others indicate the importance of habitats in addition to hardbottoms where tilefish concentrate and appear to experience relatively high rates of survivorship and growth.
- Designate EFH for sargassum. The current FMP for sargassum lacks an EFH designation as required by the Magnuson-Stevens Act. Relatively little is known about the ecological requirements of sargassum, hence the EFH designation that is being pursued is based on Level 1 (i.e., presence/absence) information as required by the EFH regulations when information is lacking.
- Co-designate coral-HAPCs that became effective July 2010 as EFH-HAPCs. This co-designation is based on the ecological importance and susceptibility to human-induced disturbance of the deepwater coral communities within the coral-HAPCs and is consistent with how the Oculina Banks off the Florida coast, which were coral-HAPCs prior to passage of the EFH provisions of the Magnuson-Stevens Act, were treated once the EFH provisions of the Magnuson-Stevens Act were in place.

While these changes are being pursued through Comprehensive Ecosystem-Based Amendment 2, the outcome of that process is yet to be determined and will require further Council action informed by the public hearings and other coordination. SER will continue to work with the

Council to examine comments received during the public hearings and to evaluate the value of moving forward with amendments that effect these changes.

In addition to the above changes to EFH and HAPC designations, other actions recommended by Council staff and stakeholders based on development of the FEP include preparation of a guidance document that facilitates communication of existing EFH and HAPC designations. For example, the existing HAPC designation for penaeid shrimp lists "state designated nursery areas" but does not list the individual nursery areas. Development of a complete list has been recommended and is under development by Council and SER staff. The guidance document does not require formal public review since it does not change existing designations. The guidance document will be reviewed by the Council's Habitat and Environmental Protection Advisory Panel.

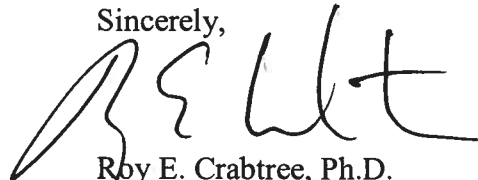
Conclusions and Recommendations for the Next Five Years

The Council's current five-year review of its EFH information is complete. The next comprehensive periodic review should be completed no later than December 2016. While SER recognizes that integrating development of the FEP and conducting the EFH five-year review was efficient for the Council, this integration reduced the tractability of the EFH five-year review because the review was part of the broader FEP effort. Accordingly, SER recommends the Council work with SER during 2011 to develop a process for the next EFH five-year review within staffing and funding constraints. In preparation for that review, SER recommends the Council address several administrative gaps in its EFH program. The enclosed table, based on the EFH regulations, identifies required and recommended components of FMPs with respect to EFH. This information can be used to prioritize those gaps for future refinement of EFH designations. SER also recommends the Council develop a set of review papers that focus on the EFH requirements of managed fisheries in a manner similar to the EFH source documents developed by the Northeast Fisheries Science Center. SER believes this approach would bolster the Council's EFH designations and their value in management decisions by:

- More explicitly describing habitat use by life stage for managed species.
- More explicitly using the EFH information levels framework in describing EFH.
- Refining the current spatial depictions of EFH to reflect best available data.

The partnership between the Council and SER for promoting the protection, conservation, and enhancement of EFH within the South Atlantic is an important component of conserving and managing fisheries under the Magnuson-Stevens Act. SER greatly appreciates the efforts by the Council and its staff to complete the five-year review of the information used to identify and designate EFH.

Sincerely,



Roy E. Crabtree, Ph.D.
Regional Administrator

Enclosure

cc:
F/SER4- Croom, Wilber, Dale
F/HC-Bigford

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
<p>(1) Describe & Identify EFH</p> <p>(ii) Habitat Information by life stage</p> <p>Council's need basic information to understand the use of various habitat by each managed including:</p> <ul style="list-style-type: none"> - Geographic range and habitat requirements by life stage - Distribution and characteristics of those habitats - Current and historic stock size as it affects occurrence in available habitats 	<p>... demonstrate that the best scientific information available was used in the description and identification of EFH, consistent with national standard 2 (600.815(a)(1)(ii)(B))</p>	<p>... summarize life history information in text, tables and figures as necessary to understand each species relationship to, or dependence on its various habitats (600.815(a)(1)(ii)(A))</p> <p>... document patterns of temporal and spatial variation in the distribution of each major life stage (600.815(a)(1)(ii)(A))</p> <p>... summarize (in tables) all available information on environmental and habitat variables that control or limit distribution, abundance, reproduction, growth, survival and productivity of the managed species (600(a)(1)(ii)(A))</p> <p>... obtain information from the best available sources including:</p> <ul style="list-style-type: none"> peer-reviewed literature unpublished scientific reports data of government resource agencies fisheries landings reports any other information according to its scientific rigor (600.815(a)(1)(ii)(B)) <p>... support information with citations (600(a)(1)(ii)(A))</p>
<p>Volume 1 of the South Atlantic Fishery Management Council's Fishery Ecosystem Plan (FEP) documents the process used for developing the FEP. The FEP is based on the Council's Habitat Plan for the South Atlantic Region, which was completed in 1998 and is the technical support document upon which current EFH designations are based. Approximately 30 technical work groups contributed to development of the FEP by adopting relevant sections of the Habitat Plan for the South Atlantic Region and the Dolphin/Wahoo Fishery Management Plan after carefully reviewing those sections, revising and updating those sections as needed, and developing new sections for the FEP. Collectively, the technical work groups included over 100 staff from federal, state, and local agencies, universities, research institutions, and non-governmental organizations; this team included staff from SER, the Southeast Fisheries Science Center, and the NOAA Center for Coastal and Ocean Science. (See List of Preparers Volume 1 pages 28-42). The FEP and its recommendations were reviewed during 10 public hearings (within four states) from March 2008 to February 2009 along with Comprehensive Ecosystem-Based Amendment 1 and the scoping for Comprehensive Ecosystem-Based Amendment 2.</p>		
<p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • Updates to the FEP and EFH identifications would be improved by using tables that clearly identify information known and information gaps for each major life stage of each managed species. 		

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

	MUST:	SHOULD:
<p>Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:</p> <p>(1) Describe & Identify EFH (iii) Analysis of Habitat Information</p>		<p>...organize information necessary to describe and identify EFH by:</p> <ol style="list-style-type: none"> (1) Level 1 – Distribution (2) Level 2 – Habitat-related Densities (3) Level 3 – Habitat-related Growth, Reproduction or Survival Rates (4) Level 4 – Habitat-related Production Rates (600.815(a)(1)(iii)(A)) <p>...strive to describe habitat based on the highest level of detail (600(a)(1)(iii)(B))</p>
<p>Section 4 (Volume II) provides discussion of the biology, distribution, and status of SAFMC managed species. While the discussion provides much of the information represented by the 4-level system; the discussion does not explicitly follow this recommended approach for organizing the information.</p> <p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • Updates to the FEP and EFH identifications should follow the four-level system to improve accessibility and organization of the underlying technical information and facilitate updating. 		

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Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
<p>(1) Describe & Identify EFH (iv) EFH Determination</p> <p>The information in (a)(1)(ii) & (iii) will allow Councils to assess the relative value of habitats. (600.815(a)(1)(iv)(A))</p> <p>If a species is overfished and habitat loss or degradation may be contributing to the species being identified as overfished, all habitats currently used by the species may be considered essential in addition to certain historic habitats that are necessary to support rebuilding the fishery (600.815(a)(1)(iv)(C))</p> <p>Areas described as EFH will normally be greater than or equal to aquatic areas that have been identified as “critical habitat” for any managed species listed as threatened or endangered under the ESA (600.815(a)(1)(iv)(D))</p>	<p>...include text that clearly states the habitats or habitat types determined to be EFH for each life stage of the managed species (600.815(a)(1)(i))</p> <p>...identify specific geographic location or extent of habitats described as EFH using boundaries such as latitude/longitude, isotherms, isobaths, political boundaries or major landmarks (600.815(a)(1)(ii)) and (600.815(a)(1)(iv)(B))</p> <p>...justify and scientifically rationalize EFH designated for species groupings or assemblages (600.815(a)(1)(iv)(E))</p>	<p>...not designate EFH if there is no information on a given species or life stage and habitat use cannot be inferred from other means (600.815(a)(1)(iii)(B))</p> <p>...analyze available ecological, environmental, and fisheries information and data relevant to the managed species, the habitat requirements by life stage, and the species’ distribution and habitat usage to describe and identify EFH (600.815(a)(1)(iv)(A))</p> <p>...interpret information in a risk-averse fashion to ensure adequate areas are identified as EFH for managed species (600.815(a)(1)(iv)(A))</p> <p>...explain the analyses conducted to distinguish EFH from all habitats potentially used by a species (600.815(a)(1)(iv)(A))</p> <p>...evaluate the distribution data, when only Level 1 data is available, to identify EFH as those habitat areas most commonly used by the species (600.815(a)(1)(iv)(A))</p> <p>...explain the physical, biological, and chemical characteristics of EFH and, if known, how these characteristics influence the use of EFH by species/life stage (600.815 (a)(1)(i)) and (600.815(a)(1)(iv)(B))</p> <p>...have static boundaries for EFH (600.815(a)(1)(iv)(B))</p> <p>...review the identification of EFH when a fishery is no longer considered overfished (600.815(a)(1)(iv)(C))</p> <p>...include degraded or inaccessible habitats that have contributed to reduced yields and would be necessary to a species to obtain increased yields where the conditions can be reversed through technologically and economically feasible measures (600.815(a)(1)(iv)(F))</p>

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Section 7.2 (Volume IV) provides textual descriptions of EFH for each fishery management plan. Many of these EFH identifications and descriptions were extracted from the 1998 Habitat Plan and associated Comprehensive Amendment and contain references back to those documents. Section 7.2 also discusses and identifies habitats as “essential fish habitat” for species managed in the South Atlantic by authorities other than the Magnuson-Stevens Act. Existing EFH identifications include boundaries that may not be static (e.g., oceanic features such as the Gulf Stream Current).

Southeast Region recommendations:

- Section 3 (Volume II) of the FEP provides descriptions and distributions of habitats in the South Atlantic ecosystem which includes sections discussing each habitat type as EFH. Updates to the FEP and EFH identifications should more clearly link habitat requirements to the major life stages of Council-managed species.
- Where references to “essential” habitats cannot be avoided, future revisions to the FEP should clearly separate those discussions from habitats identified and described as EFH under the authority of the Magnuson-Stevens Fishery Conservation and Management Act.
- Where feasible, updates to EFH identifications and maps should include static boundaries such as latitude/longitude; political boundaries (e.g., state/county lines); or other static features (e.g., highways).

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
<p>(1) Describe & Identify EFH (v) EFH Mapping</p> <p>Councils and NMFS should confer regarding mapping standards to ensure mapping and data compatibility (600.815(a)(1)(v)(A))</p> <p>If there are differences between the descriptions of EFH in text, maps and tables, the textual description is ultimately determinative of the limits of EFH (600.815(a)(1)(iv)(B))</p>	<p>...include maps of the geographic locations of EFH or geographic boundaries within which EFH for each species and life stage is found (600.815 (a)(1)(i)) & (600.815(a)(1)(v)(A))</p>	<p>...identify different types of habitat designated as EFH on maps to the extent possible (600.815(a)(1)(v)(A))</p> <p>...explicitly distinguish EFH from non-EFH areas on maps (600.815(a)(1)(v)(A))</p> <p>...incorporate data into GIS to facilitate analysis and presentation (600.815(a)(1)(v)(A))</p> <p>...include maps of HAPCs identified (600.815(a)(1)(v)(C))</p> <p>...include maps of historical habitat boundaries, if known, when the present distribution or stock size (of a species or life stage) is different from historical distribution or stock size (600.815(a)(1)(v)(B))</p>
<p>The distribution and geographic limits of EFH are described and, where information exists, presented by life history stage in maps that are part of the Council's online Habitat and Ecosystem internet map service at http://ocean.floridamarine.org/efh_coral/ims/viewer.htm. Maps developed to date by Council staff, Florida Marine Research Institute, NOAA Fisheries Service Southeast Fisheries Science Center, North Carolina DENR, and South Carolina DNR encompass appropriate temporal and spatial variability in presenting the distribution of EFH. Where information exists, seasonal changes are represented.</p> <p>The Southeast Region recommendations:</p> <ul style="list-style-type: none"> • Future habitat maps and supporting materials for the Council's internet-based map server should clearly identify the spatial resolution and minimum mapping unit used to create maps. • As noted above, maps with clearly defined boundaries that delineate the geographic extent of EFH for each fishery would be helpful to those engaged in EFH consultations. 		

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
<p>(2) Fishing Activities</p> <p>Councils must act to prevent, mitigate, or minimize any adverse effects from fishing, to the extent practicable, if there is evidence that a fishing activity adversely affects EFH in a manner that is more than minimal and not temporary in nature based on evaluation conducted pursuant to (a)(2)(i) or (a)(5)</p> <p>Options for managing adverse effects from fishing may include, but are not limited to:</p> <ul style="list-style-type: none"> (A) Equipment Restrictions including seasonal and areal restrictions and equipment modifications (B) Time/area Closures to all fishing or specific equipment types during certain seasons or designating marine protected areas to protect certain vulnerable or rare species or habitats (such as HAPCs) (C) Harvest Limits to limit the take of species that provide structural habitat for other species and limits on the take of prey species (600.815(a)(2)(iv)) 	<p>...evaluate potential adverse effects on EFH designated under this FMP of fishing activities regulated under this and other FMPs (600.815(a)(2)(i))</p> <p>...describe each fishing activity, review and discuss all available relevant information (such as intensity, extent, and frequency) and provide conclusions whether and how each fishing activity adversely affects EFH (600.815(a)(2)(i))</p> <p>...minimize, to the extent practicable, adverse effects from fishing on EFH designated under this and other FMPs (600.815(a)(2)(ii))</p> <p>...when amended, continue to minimize to the extent practicable adverse effects on EFH caused by fishing (600.815(a)(2)(ii))</p> <p>...explain the reasons for the Council's conclusion regarding past and/or new actions that minimize to the extent practicable the adverse effects of fishing on EFH (600.815(a)(2)(ii))</p>	<p>...list past management actions that minimize potential adverse effects on EFH and describe the benefits of those actions to EFH (600.815(a)(2)(i))</p> <p>...give special attention to adverse effects of fishing on HAPC (600.815(a)(2)(i))</p> <p>...consider measures to evaluate the impacts of fishing activities on EFH such as the establishment of research closure areas (600.815(a)(2)(i))</p> <p>...identify a range of potential actions that could be taken to address adverse effects of fishing on EFH (600.815(a)(2)(ii))</p> <p>...include an analysis of the practicability of potential new actions and adopt any new measures that are necessary and practicable (600.815(a)(2)(ii))</p> <p>...should consider the practicability of minimizing adverse effects from fishing based on long and short-term costs and benefits of potential management measures to EFH, associated fisheries, and the Nation, consistent with national standard 7 (600.815(a)(2)(iii))</p> <p>...use the best scientific information available as well as other appropriate information sources according to its scientific rigor (600.815(a)(2)(i))</p>
<p>The SAFMC Habitat Plan and Section 6.2 (Volume IV) of the FEP present information on adverse effects from fishing and describe management measures the Council has implemented to minimize adverse effects on EFH from fishing. Conservation and enhancement measures implemented by the Council may include ones that eliminate or minimize physical, chemical, or biological alterations of the substrate, and loss of, or injury to, benthic organisms, prey species, and other components of the ecosystem. The Council has implemented restrictions on fisheries to the extent that no significant activities were identified in the review of gear impacts conducted for the NOAA Fisheries Service by Auster and Langton (1998), which presented available information on adverse effects of all fishing equipment types used in waters described as EFH. When later information showed impacts to deepwater corals were occurring, the Council used its authorities to enact Comprehensive Ecosystem-Based Amendment 1 (July 22, 2011) which prohibits use of fishing gears that damage hardbottom habitat within large areas of the continental shelf.</p> <p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • None. 		

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(3) Non-Magnuson Stevens Act Fishing Activities	...identify any fishing activities that are not managed under the Magnuson-Stevens Act that may adversely affect EFH (600.815 (a)(3))	
As noted above, Volume IV of this FEP presents information on adverse effects on EFH from fishing.		
Southeast Region recommendations: <ul style="list-style-type: none"> • None. 		

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(4) Non-Fishing Related Activities	...identify activities other than fishing that may adversely affect EFH (600.815 (a)(4)) ...describe known and potential effects on EFH (600.815 (a)(4))	
Section 6.1 (Volume IV) of the FEP identifies non-fishing activities that have the potential to adversely affect EFH quantity or quality. Examples of these activities are dredging, filling, mining, impounding waters, diverting waters, thermal discharges, non-point source pollution and sedimentation, introduction of hazardous materials or exotic species, and modifying or converting aquatic habitat in ways that eliminate, diminish, or disrupt the functions of EFH. The FEP includes an analysis of how fishing and non-fishing activities influence habitat function on an ecosystem or watershed scale. An assessment of the cumulative and synergistic effects of multiple threats, including the effects of natural stresses (such as storm damage or climate-based environmental shifts), and an assessment of the ecological risks resulting from the impact of those threats on EFH is included. General conservation and enhancement recommendations are included in Volume IV of the FEP. These include enhancement of rivers, streams, and coastal areas; protection of water quality and quantity; minimization of the destruction/degradation of wetlands; restoration and maintenance of the ecological health of watersheds; and replacement of lost or degraded EFH.		
The SAFMC has developed several policies (Section 7.4.3 of the FEP) addressing specific non-fishing activities that may adversely affect EFH including: beach dredging and filling; dredged material disposal activities; energy exploration, development, transportation and licensing; and aquaculture. <p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • Updates to these policies as well as considerations for new policies should reflect the latest information on renewable ocean energy, aquaculture, and other topics where NOAA is actively promulgating guidance. 		

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(5) Cumulative Impacts		...analyze, to extent feasible and practicable, how the cumulative impacts of fishing and non-fishing activities influence the function of EFH on an ecosystem or watershed scale (600.815(a)(5))
<p>Section 6.3 of this FEP provides an analysis of cumulative impacts of fishing and non-fishing activities.</p> <p>Southeast Region recommendations</p> <ul style="list-style-type: none"> Cumulative impact assessments remain a technically difficult goal to achieve in many regulatory activities. Partnering with the Southeast Fisheries Science Center and others to develop a research program that <i>a priori</i> assesses cumulative impacts would be beneficial. 		

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(6) Conservation and Enhancement	...identify actions to encourage the conservation and enhancement of EFH including options to avoid, minimize or compensate adverse effects identified in (3), (4) and (5); especially in HAPCs (600.815(a)(6))	
<p>As noted above, section 7.1 (Volume IV) of the FEP provides a discussion of conservation and restoration of marsh, mangrove, seagrass and oyster/shell habitats. General Conservation and Enhancement recommendations are included in Section 7.4 (Volume IV) pertaining to activity-based impacts, fishing impacts, and specific policy statements. Section 7.6 also provides discussion of Federal Habitat Protection Laws, Programs and Policies with a similar discussion of state programs in Section 7.7.</p> <p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> Continued participation by the Council in regional activities, such as the Atlantic Coastal Fish Habitat Partnership, Southeast Aquatic Resources Partnership, South Atlantic Landscape Conservation Cooperative, and Governors' South Atlantic Alliance may provide fruitful venues for furthering conservation of EFH. 		

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Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(7) Prey Species		...list major prey species for the species in the FMU and discuss location of prey species habitat (600.815(a)(7))
Volumes II and IV of the FEP describe prey of species managed by the Council and the habitats used by prey species.		
Southeast Region recommendations: <ul style="list-style-type: none"> • None. 		

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(8) Habitat Areas of Particular Concern		...identify specific types or areas of habitat within EFH based on: <ul style="list-style-type: none"> (i) Importance of ecological function (ii) Sensitivity to human induced degradation (iii) Extent of development stress (iv) Rarity (600.815(a)(8)) ...identify any EFH (as HAPC) that is particularly vulnerable to fishing activities (600.815(a)(2)(i)) ...include maps of HAPCs identified (600.815(a)(1)(v)(C))
Volume IV of the FEP reviews the HAPC designations made in the <i>Comprehensive Amendment Addressing Essential Fish Habitat in Fishery Management Plans of the South Atlantic Region</i> . During development and review of the FEP, it was recommended the Council pursue an HAPC designation for tilefish and co-designation of the new coral HAPC as EFH-HAPCs. The Council is pursuing these recommendations via Comprehensive Ecosystem-Based Amendment 2.		
Southeast Region recommendations: <ul style="list-style-type: none"> • No recommendations beyond those already noted. 		

**Southeast Region Review of South Atlantic Fishery Management Council
Essential Fish Habitat Information Pursuant to 50 C.F.R. Subpart J. Section 600.815(a)**

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(9) Research and Information Needs		<p>... provide prioritized recommendations of research efforts necessary to improve:</p> <ul style="list-style-type: none"> - the description and identification of EFH - identification of fishing and non-fishing threats to EFH - conservation and enhancement measures for EFH (600.815(a)(9))
<p>Volume V of this FEP brought forward many of the research needs identified in the earlier Habitat Plan. The FEP discusses a broad range of research and data collection activities supporting fishery and ecosystem-based fishery management purposes. Priorities identified for 2008-2012 that would support EFH identifications and descriptions included life history details for two suites of species, identified as Primary and Secondary Data Collection Species.</p>		
<p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • As noted above, updates to the FEP should more explicitly highlight information needs. 		

Subpart J. Section 600.815(a) Mandatory contents of Fishery Management Plans:	MUST:	SHOULD:
(10) Periodic Review	<p>...conduct a complete review of EFH information at least every five years or as recommended by the Secretary (600.815(a)(10))</p>	<p>...review, revise and amend EFH provisions based on available information (600.815(a)(10))</p> <p>...outline procedures the Council will follow to review and update EFH information (600.815(a)(10))</p> <p>...report their review of EFH information in annual SAFE reports (600.815(a)(10))</p>
<p>Section 1.2 of Volume I of the FEP describes the process used to review and update the Habitat Plan. By letter dated June 9, 2009, the Southeast Region provided the Council with guidance on the substance of this review and noted that the FEP and related Comprehensive Ecosystem-Based Amendments provided a framework for completing the review. While development of the FEP was influenced by the emerging requirements and guidance for EFH five-year reviews, the FEP reflects Council goals and needs that are separate from (but not in conflict with) the EFH five-year review.</p> <p>Southeast Region recommendations:</p> <ul style="list-style-type: none"> • The Region recognizes that integrating development of the FEP and EFH five-year review was efficient for the Council. However, this integration reduced the tractability of the EFH five-year review because the review was part of the broader FEP effort. Accordingly, the Southeast Region recommends the Council work with the Region during 2011 to develop a process for the next five-year review within staffing and funding constraints. 		