NCDENR
North Carolina Department of Environment and Natural Resources
Division of Marine Fisheries

Beverly Eaves Perdue
Governor

Dr. Louis B. Daniel III
Director

Dee Freeman
Secretary

Febnuary 4, 2009

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

Dear Mr. Mahood,

The North Carolina Division of Marine Fisheries has reviewed the scoping document for the Comprehensive Ecosystem-Based Amendment 2 (CEBA 2) and offers the following comments regarding possible designation of new Essential Fish Habitat – Habitat Areas of Particular Concern (EFH-HAPCs). The Habitat Plan for the SAFMC (1998) noted that anadromous fish species are critical to the prey base of all managed predacious fish species. Unfortunately, the stocks of many of these species, such as blueback herring, alewife, American shad, and striped bass in the Cape Fear system are depleted or declining. The North Carolina Marine Fisheries Commission (MFC) has tried to meet its statutory duty to conserve these fish resources through moratoriums and fishing restrictions. In addition, the Commission designated certain waterbodies as Anadromous Fish Spawning Areas in 2008. These areas have been spatially identified and incorporated into the MFC rulebook. The Atlantic States Marine Fisheries Commission also manages river herring, striped bass, and American shad.

The MFC designated Anadromous Fish Spawning Areas represent priority habitat areas for an important prey source of several federally managed fishery species in the South Atlantic and mid-Atlantic regions, including the coastal migratory pelagics, the snapper-grouper complex, dolphin, and wahoo, summer flounder and bluefish. The Anadromous Fish Spawning Areas designated by the state 1) provide an extremely important ecological function that benefits numerous federally managed species, 2) are sensitive to human-induced environmental degradation, and 3) are geographically delineated and designated by the state. The Division feels that these areas meet the criteria for designation as EFH-HAPCs. The Division would therefore like to request that these designated Anadromous Fish Spawning Areas be considered for designation as EFH-HAPC in Comprehensive Ecosystem-Based Amendment 2. Thank you for your consideration of this request.

Respectfully,

Anne Deaton

Anne Deaton,
Chief, Habitat Protection Section

Cc: Louis Daniel
Dee Lupton
Brian Cheuvront
District Managers and Biosupervisors

3441 Arendell Street, P.O. Box 769, Morehead City, North Carolina 28557
Phone: 252-726-7021 \ FAX: 252-726-0254 \ Internet: www.ncdmf.net

it doesn't give data or other input. It would be a burdensome cost to the fisherman and law enforcement. Law enforcement agents would still need to make physical and visual contact of any offense charged; hence they would need to be in the CHAPC, not from land observing a screen. Routine inspection at sea leads to greater enforcement. This is why I support NO ACTION for action 4.

**Comprehensive Ecosystem-Based Amendment 2**

*Sargassum Fishery Management Plan (FMP)* I would like to address and submit information to the council about the current FMP and possible amendment to it for private scientific research. I have conducted limited research on Sargassum grass. My interest in Sargassum grass is associated to mineral nutrition of plants and photosynthetic organisms. It is the aluminum content of such biomass and its relations to other elements. Most land based plants are comprised of aluminum, for which no known physiological function is understood. The majority of the earth's crust is comprised of Aluminum-silica-oxide (Clay). For my model, sargassum grass is a component in understanding aluminum and its function within photosynthesis. The following table below shows some of my results. My collection of Sargassum grass is not intended to hurt any Essential Fish Habitat (EFH). Sargassum grass is essential for the growth and development of a strong triggerfish fishery, please note the pictures below.

Future sargassum grass research considerations of mine also consist of nutritional and pharmaceutical benefits for humans. How could I get a permit to conduct such research?

One final note to the Sargassum Fishery Management plan, there should be a prohibition clause to the careless destruction of Sargassum weedlines and sportfishing. I have witnessed countless careless individuals who decide to troll through the weed line, instead of along side of it. Extreme excitement and lack of experience leads to large destruction of weed lines and mats (EFH) throughout the South Atlantic. Can more awareness of the importance of Sargassum be raised through the SFMP?

# Analytical Report

| | | | |
|---|---|---|---|
| **Client:** | Hortfire LLC | **Contact:** | Joshua Giordano-Silliman |
| **Address:** | 1170 N. Shadow Drive | **Lab ID.:** | 84309-1 |
| | Mt. Pleasant, SC 29464 | **Date Sampled:** | 02 Mar 2008 |
| **Telephone/Fax:** | 843-819-6778 | **Date Received:** | 13 Oct 2008 |
| **Email:** | hortfire@yahoo.com | **Date Completed:** | 15 Oct 2008 |

**Sample Description:** Sargassum sp 226 Hole (N3158.5 W7905.6)
**Sample Range:** General Woody Ornamentals

**EMT-300 : Complete Tissue Analysis**

| Components | | Results | Range low | Range medium | Range high | Interperative Guide |
|---|---|---|---|---|---|---|
| MACRO NUTRIENTS (%) | | | | | | |
| Nitrogen | N | 2.53 | | ○ | | 2.20 - 3.20 |
| Phosphorus | P | 0.21 | | ○ | | 0.20 - 0.50 |
| Potassium | K | 5.57 | | | △ | 1.20 - 2.50 |
| Calcium | Ca | 3.72 | | | △ | 0.80 - 1.50 |
| Magnesium | Mg | 1.10 | | | △ | 0.30 - 0.60 |
| Sulfur | S | 1.95 | | | △ | 0.20 - 0.40 |
| MICRO NUTRIENTS (ppm) | | | | | | |
| Iron | Fe | 259.94 | | ○ | | 100 - 500 |
| Manganese | Mn | 17.74 | ▽ | | | 100 - 750 |
| Boron | B | 349.20 | | | △ | 20 - 50 |
| Copper | Cu | 31.97 | | | △ | 6 - 30 |
| Zinc | Zn | 310.78 | | | △ | 50 - 100 |
| Molybdenum | Mo | 5.06 | | | △ | 0.10 - 0.30 |
| Sodium | Na | 30,112.78 | | | | |
| Aluminum | Al | 614.50 | | | | |