



# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

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Carolyn N. Belcher, Ph.D., Chair | Trish Murphey, Vice Chair  
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## **Habitat Protection and Ecosystem Based Management Advisory Panel Meeting May 16-18, 2023**

**Town and Country  
2008 Savannah Hwy  
Charleston, SC 29407**

The Habitat Protection and Ecosystem Based Management Advisory Panel (HPEAP) meeting convened at the Town and Country Inn Charleston, SC on May 16-18, 2023. Meeting agenda and overview may be found at:

[https://safmc.net/documents/habecoapagendaoverview\\_may23-pdf/](https://safmc.net/documents/habecoapagendaoverview_may23-pdf/)

Trish Murphey, Habitat and Ecosystem Committee Chair, provided opening remarks for the members.

### **NOAA Fisheries HCD EFH Consultation Update**

Cindy Cooksey, NOAA Fisheries Habitat Conservation Division (HCD) provided an update on Southeast EFH Consultation activities focused on large scale infrastructure to provide AP members and the Council with a view of HCD activities and a view of significant developing issues in the region of interest to the Council.

- 475 EFH consultation requests and 760 for the year an increase to the most NMFS HCD has had in the last ten years.
- Offshore wind projects are the administration's, and NOAA's, highest priority for EFH consultation:
  - Assisting Greater Atlantic Regional Fisheries Office (GARFO) with the Coastal Virginia Offshore Wind Project
  - Review Kitty Hawk North, Kitty Hawk South, and the Carolina Long Bay offshore wind projects.
    - Habitat minimization focused on: minimizing scour protection and identifying and requesting the best management practices be used by the offshore wind community.
- Port Everglades remains a very high priority, working with the Army Corps of Engineers and Florida agencies to fully develop a mitigation plan. This project has the largest amount of impact to coral and hardbottom habitat ever authorized for U.S. waters, including more than 150 acres. The planned mitigation would be the most coral restoration ever attempted in the world if this moves forward.
- Fish passage and hydropower efforts are also increasing, and SERO issued a new license for the Santee Cooper hydroelectric project in January.

***Member Comments and Recommendations:***

- Kitty Hawk South is going to be more challenging, in terms of environmental impacts, because cable transit will be longer possibly through, or under, Submerged Aquatic Vegetation (SAV), and the Outer Banks.
- While each offshore wind development has its own cables, they should consider joining them somewhere in the ocean, and then one path in.
- Members requested clarification on the status of offshore wind development off Duck NC which has been identified as an Atlantic Sturgeon hotspot and it appears that it is not still under consideration.

**NOAA Fisheries South Atlantic Climate Vulnerability Assessment**

Council staff provided highlights of a [presentation](#) Mike Burton, NMFS SEFSC provided to the Council as an overview of the Climate Vulnerability Assessment (CVA) for the South Atlantic, which is close to finalization. The vulnerability analysis is a tool to determine the likelihood that a species productivity, abundance, or distribution would be affected by changing climate, and development of CVAs were identified as a priority in NOAA's climate science strategy in 2015, and development of CVAs also is identified as a priority under the South Atlantic Climate Science Regional Action Plan and the Implementation Plan for Ecosystem-Based Fisheries Management. This effort is a critical part of understanding which species are at the highest risk from climate change and will inform the Council's move to address this through the East Coast Climate Change Scenario Planning Initiative.

**Key Results:**

- Most Impactful Exposure Factors – SST, Salinity\*, Ocean Acidification
- 22 species Very High Vulnerability - Anadromous, Invertebrates, Deep-water Demersals
- 24 species High Vulnerability - Coastal and Reef Fishes
- 25 species Moderate Vulnerability - Pelagics, Forage, Coastal and Reef Fishes
- Distribution Change – Majority have Very High or High potential for change

***Member Comments and Recommendations:***

- A good example of a species that has both shifted north and offshore is the Atlantic migratory stock of striped bass, which used to have a substantial fishery off North Carolina and hasn't landed a striped bass, from the ocean, since 2011.
- Gray triggerfish SEDAR 82 data workshop looked at spatiotemporal factors and ecosystem factors showed more gray triggerfish were being caught north of North Carolina with recreational fisheries targeting them in Virginia and New Jersey, and in particular, Maryland.
- Once finalized, the AP would like experts associated with the report to highlight for the AP what this report, and assessment, means for habitat within the South Atlantic.

**NOAA Fisheries EFH 5 Year Review**

Cindy Cooksey provided the Panel members with an overview of the SAFMC EFH designation history. Members referenced the existing EFH designations presented in the [EFH Users Guide](#) to facilitate discussion on areas to address in the review. Biologists within the Habitat Conservation Division provide the User Guide to applicants that are seeking permits throughout the Southeast all the time. Cindy led a discussion and decision on focus areas for this Review.

### ***Member Comments and Recommendations:***

- The review does need to be comprehensive for our entire area, inclusive of Florida, Georgia, South Carolina, and North Carolina, so that it's not balanced to one state or another.
- Getting state participation in the process is critical and the key criteria was to make it achievable.
- A point of clarification that is Florida-specific for the user's guide, is for the snapper grouper fishery management plan, where shrub scrub habitat is identified as EFH which is traditionally treated as mangroves. In Florida, buttonwoods functionally act the same, habitat-wise, as mangroves so the AP is proposing to clarify that in the user's guide.
- NOAA Fisheries and state members identified a clarification for the user's guide on an issue that routinely comes up in permitting and consultations throughout the region. With tidal freshwater habitats designated as EFH, where does the tidal freshwater habitat end, and where, in our coastal rivers, is that line?

### **EFH Policy Statement on Beach Dredging and Filling, Beach Renourishment and Large-Scale Coastal Engineering**

The Council at their March meeting was concerned there could be outstanding state issues that may need to be addressed so the updated policy statement was sent back to the AP for additional review and any clarification. Cindy Cooksey led members in the discussion and in addressing comments received from state agencies responsible for these activities. The AP integrated appropriate edits at the meeting.

### ***Member Comments and Recommendations:***

- Members completed the review and revision of the EFH Policy Statement for Council consideration for approval.
- **Motion:** To send the revised policy back to the Habitat Committee for their review and approval.

**Approved by Advisory Panel** (unanimous members present and participating online)

### **Offshore Wind Activities in South Atlantic Region**

On behalf of Brian Hooker (Bureau of Ocean Energy Management, BOEM) Dr. Ursula Howson, Office of Renewable Energy Programs, provided an [update](#) on BOEM research and energy development activities with a focus on renewable energy and update on Kitty Hawk Wind. Nathan Craig/ Katherine McGlade, Duke Energy and Jen Banks/Bill Habich, Total Energies provided an [update on Carolina Long Bay Wind](#).

- Dr. Ursula Howson provided Panel members an overview of the activity going on in the South Atlantic, to touching on the central Atlantic.
- Eighteen construction and operation plans (COPs) have been submitted to BOEM with two, Vineyard Wind and South Fork Wind, both in the Northeast, approved since 2021.
- Ten COPs under environmental review and going through the EIS process and six that have been submitted that are still internal to BOEM.

- Kitty Hawk north is about twenty- seven miles offshore of Corolla, and the DEIS scheduled for April 2024, if approved, that project construction of seventy foundations are proposed for this project would begin in 2027.
- Kitty Hawk south, has the COP still under BOEM internal review, before it publishes notice of intent (NOI) to start working on its environmental review and EIS. If approved, construction would be in 2027 and 2028.
- NOI for South is possibly December of 2024 with National Environmental Policy Act coordinator and lead on this project, Ian Slaten, looking for any data sources that could be relevant for Kitty Hawk South.
- Nathan Craig/ Katherine McGlade, Duke Energy and Jen Banks/Bill Habich, Total Energies provided an updated on Carolina Longbay.
- Carolina Long Bay leases executed in June of 2022, are under BOEM review and developing communication plans, fisheries communications plans, and a joint survey plan for site characterization of the project.
- BOEM’s Environmental Studies Program has some funds earmarked for the Renewable Energy Program and published its [2024-2025 Studies Development Plan](#). Studies are developed into research projects, which are incorporated into BOEM’s environmental assessments and taken into account during the decision-making process.

***Member Comments and Recommendations:***

- Rick Robbins, fisheries liaison for Kitty Hawk Wind, did a very great study looking at the potential impact of Kitty Hawk Wind on the ecosystem and fishing in the area and a model for other areas.
- Off North Carolina in the Carolina Long Bay area, there is quite a lot of pavement habitat, which is shallow habitat that may not allow full burial of cables. Members wanted to know if any research had been conducted that looks at ways to mitigate electromagnetic fields (EMF), or heat, coming from cables when full burial is not possible. BOEM noted they have an [EMF white paper](#) online and have funded some studies.
- Concern over what type of material used to cover cables since there are things that leach out of that material that would be bad, as far as the health of the attached epifauna.
- BOEM should address possible questions about whether or not there are certain materials are more desirable than others by reviewing the extensive literature about artificial reefs.
- Concern over the issue of recycling turbine blades, which in the past were constructed from not readily recyclable materials and ended up in landfills.
- When decommissioning, whether the cable is buried in the sand or under mattresses or surface scour protection, that removal might be more detrimental to the environment than just leaving it in place.

**EFH Policy Statement on Energy**

The Council at the March meeting directed the panel to update and refine the EFH Policy Statement on Energy Exploration, and Development. Paula Keener, Policy Workgroup Chair provided an

update on the development process and timing. Cindy Cooksey provided an overview of structure and components of Council [Energy Policy](#) and members will provide any initial comments for the Workgroup. Cindy Cooksey provided an overview of the NMFS Greater Atlantic Regional Fishery Office [Guidance document](#) for the Workgroups consideration as part of the update.

***Member Comments and Recommendations:***

- In response to the Council direction, the AP is moving forward with a policy update with particular focus on fisheries and EFH and helping to identify best management practices that are associated with avoidance and minimization as well as identify research needs associated with offshore wind development. The intent is to keep all the existing energy activities like oil and gas but condensing that information down and emphasize new and ongoing information. Anne Deaton volunteered to draft an outline which incorporates offshore wind as a new section. The subcommittee will engage other BOEM staff Dr. Ursula Howson, who has already provided input at the May AP meeting to access records of decision and EISs as needed as the process progresses. Engaging fisheries liaisons with the individual wind projects has been ongoing at AP meetings and was considered as part of the review process.
- The effort will develop a separate section to address renewable energy with the focus on offshore wind development. A report on the progress of the update will be provided at the November AP meeting for the entire Panel's consideration.

**Regional Research and Tools supporting EFH Conservation**

Roger Pugliese provided an update on the Councils development of a Habitat Blueprint. Kevin Spanik, SCDNR provided an [update on regional fishery surveys](#) setting the stage for Panel member discussion and input on habitat research needs that should be integrated into the Councils Draft Research and Monitoring Prioritization Plan that will be approved at the June Council meeting. The Panel was provided with an overview of existing Council tools/webservices and developing regional systems. SCDNR staff provided an [update](#) on the Southeast Monitoring and Assessment Program (SEAMAP)/ Southeast Coastal and Ocean Regional Association (SECOORA) Data Portal. Mary Conley, TNC provided an overview of the developing Nature Conservancy/SECOORA [Southeast Marine Mapping Tool](#).

***Member Comments and Recommendations:***

- Panel members provided priority research and mapping recommendations to be conducted in the South Atlantic region which were integrated into the SAFMC Research and Monitoring Prioritization Plan. In addition, members highlighted the utility and benefit of Council online tools developed to support habitat and ecosystem conservation efforts in the region. In addition, members supported a number of developing regional tools which in part draw directly from Council supported Web Services.