

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

HABITAT PROTECTION AND ECOSYSTEM-BASED MANAGEMENT COMMITTEE

**Westin Jekyll Island
Jekyll Island, Georgia**

March 9, 2023

TRANSCRIPT

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Other attendees and invited participants attached.

The Habitat Protection and Ecosystem-Based Management Committee of the South Atlantic Fishery Management Council convened at the Westin Jekyll Island, Jekyll Island, Georgia, on Thursday, March 8, 2023, and was called to order by Chairman Trish Murphey.

MS. MURPHEY: I would like to call to order the Habitat Protection and Ecosystem-Based Management Committee. I guess the first thing to do is approve the agenda. Is everybody good with the agenda? Any changes or recommendations for modification? All right.

Then I will take that it's approved by consensus, and then this group has not even met since September of 2021, and so I'm looking for approval of the September 2021 committee transcript. Any comments or edits? Hearing none, I will call that approved by consensus. I guess we'll go ahead and move into the habitat blueprint update, and I will hand this over to Roger, and he's going to talk about highlights of the blueprint and the timeline.

MR. PUGLIESE: Okay. Today, we're going to get into a number of sessions, kind of timing and steps forward on a number of different activities for the Habitat and Ecosystem Committee, and the first in line is the habitat blueprint. This is something that kind of got put in the background, because of so many other activities going on by the council, but I wanted to get things up to speed, with individuals that may be not as familiar with what is going on, and really focus on what the next steps are and what we're going to accomplish in 2023.

The South Atlantic Council created a workgroup to develop a habitat blueprint evaluation strategy, and it's assisting in preparing in the review materials for council discussion and advancing this blueprint into approval and then some planning, longer-term planning, and they would assist in actually getting that done, so that the council could advance it. The membership of the workgroup is Trish, as the Habitat and Ecosystem Committee Chair, and Mel Bel is the Habitat and Ecosystem Vice Chair, and Carolyn Belcher as the Council Chair, and Kerry Marhefka, with Myra Brouwer as the lead, and John Carmichael and myself as additional support to advance the development and approval of the blueprint.

Meetings are intended to be held in between the council meetings, and so there is one scheduled for March 29, and one will be scheduled in late June and then August, to advance this for development and consideration by the council.

Some of the tasks that the workgroup has already discussed, and are ongoing, deal with the structure of this document, which goes from everything from goals and objectives to requirements of council actions that have been taken in the past, and I guess one of the notes on this is this is also an opportunity to highlight how much this council has done relative to habitat, in terms of both fisheries and in policy development, to address non-fishing activities. Also, it gets into the review of tools, partners, and, ultimately, the final task is to have this completed for consideration at the September council meeting.

Other topics that will be considered as we go through, or potentially in conjunction, will be, additionally, climate change, especially with all the discussions we're having on the climate scenario planning and how that may -- How some of those directives may align. The layout that's

shown in the Attachment 1 does put out a general structure, and I think the point of this is to show that this is supposed to be a concise document. Most of the sections are going to be one or two-page guidance areas to advance it, with maybe a little bit more of the substantial information, some of the background information included on the mandates in some of the appendices, the mandates and existing actions that the council has taken, all the policies.

Then one of the most important parts is the user guide, which really does have virtually all of the information on the EFH designations, refinements of characterization, and is the thing that I will touch on later on, as part of our EFH review into the future, and so that brings us to the timeline that we have, and I've already mentioned that we're going to be looking at a March 29 meeting, with kind of a catch-up meeting to get into the -- Back into the overall structure, what's been completed, discussions on some of the tracking, on comments and reporting and coordination with our partners at Habitat Conservation.

Also, the role of our Habitat AP in development, and that moves us into a June meeting to consider other issues, such as climate, possibly some of the support documents getting wrapped up, and also moving into August, to look at a draft and any input that the AP may have provided, which may be a webinar, and we'll see. We have a number of other types of webinars going on with the Habitat AP, and so this may be an opportunity to coordinate that with them, and, as I said, there are some components of this that will align, or connect directly into, be able to be usable, through our EFH review, because of some of the issues that we'll be touching on in that, too.

Ultimately, that brings us to September, with the council's consideration, and then some of the discussions on, as we go into the future, as this is completed, opportunities to advance outreach and communication needs. There had been some previous discussions and some guidance that will be, I think, integrated to be the springboard for those discussions into the future that will be included in the blueprint that can move it further as we wrap it up and then finalize. With that, I will send it back to Trish for any questions.

MS. MURPHEY: Thank you, Roger. Laurilee, you had a question?

MS. THOMPSON: Are council members allowed to listen-in on your workgroup meetings, or are you trying to keep it down to a dull roar?

MR. PUGLIESE: These are all open meetings, and so, of course, members can sit in and listen into our discussions.

MS. MURPHEY: Do I have any other questions for Roger? I think what we want to do today is just approve this draft process and the timing, and so does anybody have any questions, or is everybody good with the timing and the process that Roger has laid out? Okay, and it sounds like, Roger, you've got -- Everybody is good, and this doesn't need a motion or anything, does it?

MR. PUGLIESE: No, I don't think so, and there's a lot that's got to be done by the workgroup to get this -- The decision points will be as we get some more substantive material before the council to actually advance it and approve this and move it forward.

MS. MURPHEY: All right. Well, thanks, and we'll move on to Item 2, Review of Essential Fish Habitat Policy Statement, and this is going to be both Roger and Cindy Cooksey, and Cindy is

online, and she's our chair for the AP, and so I will go ahead and turn it over to Roger to talk about the policy process.

MR. PUGLIESE: Okay. What I was going to do is I've got a brief presentation that I was going to touch on, because what it does is highlight a couple of points about the intent, maybe for some of the members that don't know as much about what some of the history is, and I will kind of elaborate on that, and so what I wanted to do is -- What I would like to touch on is the EFH policy and an update on this.

At the beginning, I really wanted to just touch on development. This is a long history with our council, and a real directive to try to address the issues of primarily the impacts of non-fishing activities, and it's tied to policies that are developed either to address issues on a habitat type or an activity, and so the EFH policy statements and recommendations really do provide National Marine Fisheries Service, our partners at the Habitat Conservation Division, the state agencies, other federal and regional habitat partners, the guidance and rationale to conserve and protect EFH in the South Atlantic region.

It provides the council the ability to submit standing policy statements when providing comments with a limited review period, and this is one of the things that I think is important. In the past, a lot of times, some of these issues came up as a comment that the council was developing, and then it evolved into, well, how do we do it when we have shorter periods of time, and we know some of the issues, and this is what evolved to develop a policy and use the experts with our Habitat and Ecosystem Advisory Panel to provide some foundational information, so that, if it is obviously in opposition to some of those, the council can respond, you know, in a timeframe that may not meet a council able to review it, or the committee, and that usually connects in directly with say the committee chair or the council chair, to more rapidly be able to provide these.

Policy statements are also an important tool that are routinely provided to applicants during the preapplication phase of EFH consultation, and so our habitat partners are providing these actually in the process, and you get a lot of things addressed before they even get submitted, which is really important I think in this. Also, the general structure of the way these are, and has evolved over time, is the iteration under the last round of the fishery ecosystem plan provided even more consolidation of these policies, and, if we step even further with these, is the policy context, what EFH is at risk, and we do highlight not only the South Atlantic Council, but then, when you have other ones, like bluefish, other ones that are in our region, but managed by other councils, we do highlight those, also.

Threats to the marine and estuarine resources, best management practices, which is trying to align directly with both National Marine Fisheries Service and then our state partners and research needs for the longer term, and so what I was going to do is we have Cindy Cooksey, the chair of the Habitat and Ecosystem Advisory Panel, online, and I think she was going to give a little bit of a context of policy development and some of the history on where we got to this point and the rationale of changes that have been made, to-date, to refine and consolidate and really kind of get it down to a very useful policy, and, with that, I will send it to Cindy.

MS. COOKSEY: Thank you, Roger, and so good morning, everyone. I wanted to expand upon the concepts that Roger just introduced and how they affected our work on updating the beach renourishment policy as well as how this is kind of affecting other policy plans that we have within

the Habitat AP that we would like to work on in the future, and so I'm going to take us all the way back, and I apologize, for those of you that are already intimately familiar with the Magnuson-Stevens Act and Sub-Part J, EFH, but, based upon some of the public comments and conversations that were going around this policy, I felt that it was important to dive a little bit deeper into some of the history.

Magnuson-Stevens, of course, directed the council to establish and designate EFH, and I'm going to discuss that a little bit further in one of the following agenda items, but it also identified, under the mandatory requirements, that the fisheries management plans identify non-fishing threats to EFH, and, as part of that identification of threats, it also wanted to ensure, and this is directly from the wording, that we address research needs as well as conservation and enhancement opportunities within the fisheries management plans.

In the 1998 comprehensive EFH document that the council produced, it set forth a whole series of policy statements, in Section 5 of that amendment, that established this identification of threats to EFH as well as conservation and enhancement needs to address that, and so, in that document, there was a brief policy statement referring to beach renourishment activities, and then, in 2015, there was an effort by the council, and they produced a more elaborate stand-alone policy, outside of the 1998 document, focused on beach renourishment.

Approximately two years ago, as part of the Habitat AP, we identified the need to go in and revise that 2015 beach policy statement, to reflect the state of activities going on in the Southeast, and that was just an acknowledgement that, over the course of the last few decades, there's been a dramatic increase in the number of beach renourishment activities going on in the Southeast, as well as the frequency with which those activities are occurring.

There was a paper that came out in 2019 that looked at beach renourishment activities across the Atlantic seaboard and found that three-quarters of the Atlantic seaboard is within sixteen kilometers of a beach renourishment activity, and so it really spoke to the extent that these activities are occurring, and so, when we began that process of revising the existing policy statement, I pulled together a group of AP panel members that we formed a sub-group working on the policy statement.

We went through a variety of drafts and comments, and kind of my overarching goal, during that process, was to make sure that the policy statement followed the structure that you see here, which arises directly from the Magnuson-Stevens Act, and so the original 2015 statement did not really address best management practices and research needs in a comprehensive manner, and so that was kind of an area that we really focused on, and then, in addition, the Magnuson-Stevens Act specifically says that the fisheries management plans must describe options to avoid, minimize, or compensate for adverse effects to EFH, and so I really wanted to make sure that we incorporated that into the policy statement, so that our revision would directly address all the needs identified in the act.

We then went through that process in the sub-group, and we presented our draft projects to the larger AP panel, and we went through that process twice to develop the document that you now see before you, and so it was kind of a long process to get to this point, and so I wanted to highlight those changes, in that, from the 2015 document, we basically kind of shortened some of the information, to make it more kind of concise, but still remaining comprehensive, and we brought

in a research needs section, and we really highlighted, as best we could, the best management practices that would be useful across the whole range of the Southeast, and then we also tried to incorporate wording that focused on avoidance, minimization, as well as further investigations needed on the issue of compensation. Hopefully that helps put what you will see in this document into perspective. Are there any questions related to what I just went over?

MS. MURPHEY: Does anybody have any questions for Cindy?

MR. PUGLIESE: Thank you, Cindy, and I think that really did help to kind of set the stage for really how it originated and then refined and the intent, and I think one of the biggest things is really to have it as useful as possible, to elaborate the importance for the council and in the process that we collaborate with Habitat Conservation and our partners in the region. What I was going to just touch on, really, were some of the highlights on the management practices in the document, just a couple of slides' worth of those, and everything is in the overall document, but I wanted to touch on them, and then I think she's already touched on some of the key components, but let me go through.

Looking at some of the best management practices, basically, in general, the frequent and widespread beach renourishment of areas really do have impacts on our essential fish habitat, under the council's jurisdiction, and I think one of the important points here is that the full range of alternatives, including retreat of the different types of projects, the impacts in addressing erosion and sea-level rise and some of the things, and I think that was one of the directives early on, is that we begin to revise the rest of the policy statements and we start integrating climate change into some of those considerations, and that was really kind of some of the origin of beginning to move some of these forward.

For each project, comprehensive documents, really having best available information, and it's really some very straightforward things in defined areas, baseline surveys, analysis of alternatives to minimize future need for additional nourishment activities, and then during and post-construction monitoring plans, and that whole issue of monitoring is an important side of these, and, also, some real specific directives, like limiting to bathymetric peaks, versus depressions, where you really have the opportunity for more likelihood of actually having material reoccur in the area and come back to the area. Then the other one about removal and the situation where you would be in the shallow, and so you essentially are not trying to change the entire nature of that system, change one habitat to another.

This one, I think, was one of the more significant ones, and it really is where we got to also in terms of updating this, and it had to do with, in areas of seasonal benthic recruitment, beach renourishment and large-scale engineering should be conducted during periods of low biological activity, and so the whole issue of environmental windows and how we, you know, set the science and everything when we reviewed this, and the council had presentations, and a lot of the things for the advisory panel, to set the stage for this.

Then habitats designated as EFH or recognized in state-level natural resource management plans should not be used as borrow, and so this was, again, working with our partners, to make sure that we acknowledge their areas and designations, and those are tied directly into our user guide, which does lay out a lot of that.

Then really what it gets down to is that, as Cindy identified, the mandates to the council on designation, spatial information, impacts on gear, but then the policy statements do support that longer-term mandate to develop recommendations to eliminate and reduce impacts on non-fishing activities, and so the policy would provide a more rapid vehicle, more consolidated, with, you know, building with our experts in the field, so that the council could comment and use this, as indicated, in the active EFH consultation process by the Habitat Conservation and coordinating with commenters. I just wanted to touch on some of the highlights with that, and I think Cindy has really done a good job of highlighting the intent and the modifications and how we got to this point.

MS. MURPHEY: All right. Do I have any questions for Cindy or Roger? Laurilee.

MS. THOMPSON: Hi, Cindy. In the plan, are you going to list maybe some -- You know, we heard some concern yesterday from two -- I guess they were engineers, coastal engineers, that oppose our efforts here, and, in the document, in your discussions, will there be like suggestions for alternative measures for where retreat is simply impossible? Like, on the space coast, you know, our benthic -- Our spawning benthic organizations are protected, because we can only do renourishment during non-sea-turtle-nesting season, and so that opens up spring and summer for the benthic organisms to maybe kind of have a chance to spawn, but, when you have a beach that's covered by homes and hotels, and retreat is simply not possible, are you going to have suggestions for things like wave attenuation devices?

I know that Australia and New Zealand and Mexico -- They are using wave attenuation devices offshore of the beach that actually help sand accrete on the beach, instead of dredging and filling, and so will we be looking at, or will you be mentioning, new technologies that are available in place of dredging and filling? Thank you.

MR. PUGLIESE: I don't know if Cindy was going to jump in, because I think it may be on a case-by-case basis, as you move forward, and this was kind of setting the stage for future considerations, as you do actually get in and as say plans are developed, that those be considered in that, and so, Cindy.

MS. COOKSEY: Right, and so this is kind of a multipart answer, because that was a fairly complex question, and so a couple of different things. When the recommendation that talks about seasonal windows -- It highlights the fact that it is in areas where there is a high pulse of seasonal recruitment. Now, in Florida, you really don't see those dramatic pulses in benthic recruitment, and it's nearly a year-round process, and so that's why that is actually worded that way, because, in Florida, it doesn't make sense to worry about those same windows that we might be deeply concerned about in say South Carolina or North Carolina. So, number one, that's why it's actually stated that way, to provide as much flexibility as you would need as you move south and get away from that requirement of meeting those windows.

The retreat statement, and so, again, Magnuson-Stevens very clearly, under the mandatory sections, is saying that the fisheries management plans need to describe options to avoid, as well as minimize or compensate, and so we felt that retreat was important to include as something for communities that are facing incredibly, incredibly challenging decisions, and, you know, these are families, businesses, and communities that are dealing with really, really difficult and gut-wrenching challenges, and so we did feel that it was important to list that as an avoidance option.

However, the rest of the document then goes on to describe best management practices that are already established for helping to minimize environmental impacts associated with beach renourishment activities, because we recognize that retreat, or avoidance, is not necessarily an option for all places and all communities, and then, as to emerging technologies, these policy statements should be viewed as living documents that we, as the Habitat AP or the council, will get to go back and revise, over time, as new technologies become more established.

Then, lastly, I wanted to highlight that, if we have communities that are interested in pursuing a new technology, like you mentioned, then the documents, the policy statements, that the council is providing, that's a separate path than the actual regulatory EFH consultation pathway, and so these policy statements in no way preclude individual communities from pursuing other emerging technologies that would then be addressed under the NOAA Fisheries kind of regulatory pathway, as part of individual consultations. Did that address your question?

MS. THOMPSON: Yes. Thank you.

MS. MURPHEY: Mel.

MR. BELL: Thanks for the explanation, Cindy, and you can see that we're used to dealing -- Spending a lot of our time talking about specific fisheries, and see that, in the entire range of our council, there are a lot of differences, you know, from Key West all the way to North Carolina, and so now -- That's why what we're doing with habitat needs to be fairly broad and just, you know, overarching, because there's such an amazing difference between habitat in south Florida and habitat in North Carolina, but that's -- So I think that's what we're challenged with, is having a policy that kind of covers us for the entire region that we're responsible for, so you can't get -- As Cindy was saying, you can't get too down in the weeds and restrict particular -- The idea is not be restrictive of particular areas, but it's just to encompass our entire region. That's just something to keep in mind, and that's why things will be kind of broad, because they have to, because of the diversity of habitat across our entire range.

MS. MURPHEY: Thanks, Mel. Jessica.

MS. MCCAWLEY: It's not a question, but I would just say I'm not ready to approve this particular policy statement. I do think it has improved since the December meeting, when we saw it the last time, but I would like to see it go back to the AP, and maybe they can talk to somebody at the Florida Department of Environmental Protection, and I can get a name for them, to try to kind of hone-in on some of these issues that are happening in Florida and just make sure those types of things are covered.

I think we heard some statements, in public comment, that maybe the most up-to-date science wasn't in there, and I can't speak to that or not, but these folks at the Department of Environmental Protection could, and so let me get a name and pass that over to Roger, but I don't want to approve this policy until they can maybe take one more look at it.

MS. MURPHEY: All right. Thanks, Jessica, and, Roger, she will contact you with contacts. Any more discussion? Do we want to hear more discussion on whether or not to approve or send back

to the AP? We heard from Jessica, who would like to see a little bit more added to it, especially from a Florida perspective. Any other thoughts? Carolyn.

DR. BELCHER: I would support that.

MS. MURPHEY: Laurilee.

MS. THOMPSON: Me too. I mean, this could be seriously detrimental to the State of Florida, the way it is now.

MS. MURPHEY: Chester.

MR. BREWER: First, just an observation. As Mel said, we're used to dealing with fisheries, quote, issues, and that's, you know, limits and all this sort of thing, and these kind of issues are so much more complex than any of the fishery issues that I think we deal with, and I think that this is an area that deserves more of our attention and more of our time, and, along those lines, I would agree. Let's go back and let the AP take a look at it and see if and how it might be improved.

MS. MURPHEY: All right. Thank you, Chester. Any other comments? Mel.

MR. BELL: I don't have any problem with -- As mentioned, particular states have things they want to look at, and it makes sense, because of the differences between states, and you just want to make sure that everybody is comfortable. I don't remember the timing of the Habitat next meeting or whatever, but certainly we can take it back to them, and we're under no directed timeline for this, and so I think we take our time and we do it right, and that makes sense to me.

MR. PUGLIESE: Yes, and we do have the Habitat AP meeting in May, the 16th to the 18th, and we're actually going to be looking at items for consideration, and so this can just be added back into that list for consideration, and, actually, we may be able to advance that back to the route that was involved in drafting, with connection with contact that Jessica was going to provide, and that may be the way to make it most expedient, so that we can get the stuff done, maybe even a little bit in advance, so that it can get down the road.

MS. MURPHEY: All right, and so I'm hearing that we're going to -- That this committee supports sending this back to the AP to hone-in -- Actually, probably from each individual state's perspective of beach nourishment and management of that, and so, Cindy, I guess if you -- We don't need a motion or anything, do we?

MR. PUGLIESE: No, and that can be direction to staff, plus, as I indicated, we're going to be looking at the items for review for the May meeting.

MS. MURPHEY: Okay, and so, yes, Cindy, thank you for all the work with your sub-committee, and, yes, if you can bring your sub-committee back together and try to address these state-by-state issues, that would be great, and I think it will be a stronger document with that input, and so thank you.

MS. COOKSEY: Absolutely. I did want to highlight though that, you know, we have discussed this with both the sub-group level and the AP in its entirety, with representatives from all of the

states, Florida, Georgia, South Carolina, and North Carolina, and so, you know, we have had that opportunity, but, of course, we will go back and reengage on that, but, if there's any specific guidance, that would definitely be helpful in our discussions, since we have kind of done the general state-by-state discussions already, and so we look forward to readdressing this in our next AP panel meeting.

MS. MURPHEY: All right. Thank you. I guess, next, we have -- We're going to talk a little bit about the energy policy, and I think that we're looking at potentially updating that, and possibly including wind in this, and so I will turn it back over to Roger.

MR. PUGLIESE: Yes, and we have a standing energy policy right now that is -- It has a lot of history behind it, because that was one of the earliest issues that our council has dealt with, all the way back to when -- I think one of the springboards was an original discussion on drilling in the Florida Keys, and there was an intention way, way back when, and a state inconsistency determination that the council supported, and so that kind of goes all the way to the back there, but then this last iteration really had the benefit of when we brought BOEM onboard, with Brian Hooker, and he was involved directly in the development of this policy, as well as pretty significant coordination.

Again, most of this was tied to highlighting oil and gas and the challenges that were there, because you had that, and you had the action that was going on off of North Carolina, multiple times off of North Carolina, off of the point and different areas there, that we built a lot of that, and so this was really driven towards trying to really address some of those key things.

It included discussions of -- Also, the liquid natural gas was something that was being a big activity that was advancing, but it does include touching on offshore and onshore facilities for those, as well as the other different things, such as hydrate mining, estuarine and marine hydrokinetic, and I think that was one thing they wanted to make sure was added in, and it did touch on wind, but it did not get into the level -- So much has advanced since this policy was developed, and this is really -- We had such an intense discussion with all the partners at the last Habitat Advisory Panel, from the different groups that actually own the leases, the fishery contacts, everything, that this was a very prime opportunity to refine and advance and coordinate with getting an update on this.

This basic document really does lay out that, and it's that structure that I had mentioned before, where you do identify the EFH risks, that we're going to have to update some because of that, activities relative to the individual FMPs, and it does lay out -- Then the recommendations and policies based on that, and, again, the intent is to really get into more of the information with regard to the wind and renewable energy, because I think there's other ones that need to be included here, with regard to ocean turbines and a number of different other things that will be advancing in the future, and so this is an opportunity to kind of ramp that up, and we have the right players, I think, at the table to begin to move this forward.

Also, I think a very unique opportunity here is also to highlight opportunities for coordination in data collection with them, and maybe some of the mitigation into the future may involve a connection so that there could be collection capabilities on these systems, with everything from eDNA to hydroacoustics to other things, and it's a nice interconnection with discussions that were even happening at say some of the climate scenario and opportunities to coordinate with these, and especially in our region. Our region seems to be more -- They're earlier in the stages, and they

seem to be more receptive to having some of these types of things discussed, and maybe potentially even integrated into some of the early planning documentation.

If you do that, then maybe we could actually see some progress, and so I think that's the intent, and this is what we have structured right now, and it is the intent to try to address those areas, and what I did lay out was a process, similar to the way we advanced other policies, is to take advantage of -- We do have this meeting, and the idea is we're looking to get some direction from the council to have the Habitat Advisory Panel look at updating the policy, and, specifically, to address key things, such as the wind activities.

This is going to be identification of a workgroup that will help advance, similar to what we did with the other one, and those members are identified in -- I wanted to go into the agenda, because we do actually highlight the individuals that have been identified to participate, and Paula Keener will be the lead for the group, and Anne Deaton, Brian Hooker, Wilson Laney, Stacie Crowe, David Whitaker, and Laurent Cherubin are the initial group that has been identified to be the working group to help advance this.

What we're looking at is that workgroup would begin probably actually to try to have a quick webinar before the AP meeting, to at least review the structure and begin to look at what sections may need to be updated and then potential early tasking, and then this would be brought back and discussed on timing and where things are at the May AP meeting, and that workgroup would then convene in June, to begin reviewing and development and what some of the updated sections may be, and new sections, and that can be highlighted in the report too, if we have a committee or a report-out at the June meeting, and it will continue on with two webinars, one in -- Another webinar in August, to then review that further development, updated sections, and that, again, be highlighted in the report at the September meeting, and then we have the October 16th through 18th meeting, where you would really get kind of the full review of what has been refined. The idea is that that draft then would be developed so that it could be advanced to the council.

This is the timing layout and structure and process to move this document forward, so that it can be up-to-date and begin to address really some really significant activities, and, again, we're early in the process of development in our region, and so I think the timing is perfect to do this. We're looking on guidance on advancing this to the AP for review and update.

MS. MURPHEY: Any comments or questions? Laurilee.

MS. THOMPSON: Well, this all looks great, but where does the space industry fit into everything, because we're running out of time to be able to influence what's happening, as Kennedy Space Center is gobbling up habitat and dropping space junk into the Oculina reef habitat and further destroying the Indian River Lagoon, more so than they did in the 1960s, and, you know, KSC is not the only spaceport, and there is two other active spaceports along our coast, and they're looking at other locations, and there is no undeveloped coastal habitat that is safe from rockets being launched from the eastern seaboard.

I think -- You know, I know that you guys are already overburdened with work and everything, but this train has left the station, and it's a high-speed rail. It's going 180 miles an hour, and our opportunity to influence what's happening with the space industry is really going past us, really, really fast, and I think we need to get serious about what's happening with the space industry. I

don't think it fits into, or maybe it does, and maybe you can wedge it into the wind energy, and it's not really energy, and it's space exploration, but maybe, because of all of the work that you've done on this, you could add another section for space exploration and development. Thank you.

MR. PUGLIESE: The directive to move forward with that is clear, and we have a number of things that are going to happen. There is coordination to have this addressed by the council in a broader form, and I think, at the June council meeting, we're going to have -- Maybe, if we can get the individual, but, more importantly, in terms of the technical input and guidance on this, as we get further into the agenda, and we get past the energy side, when we discuss coral and habitat and upcoming meetings, there's an intent to have, potentially, a session where those would be addressed during those advisory panel meetings.

We may actually do it as a joint Habitat and Coral webinar, and one of the major items to discuss would be that. Now, I could see then the council actually maybe wanting to see maybe a policy development to specifically address that. I mean, this is exactly how things like this advance. The issues come up, and they become important to comment on, and, if it's, you know, significant enough, a policy may be the way to move on this, and so that's an opportunity that I think would be probably a natural progression on all these discussions, the inputs from our APs, and then how we move forward, and we can start that process whenever.

DR. WALTER: One thing that I wanted to ask about is there seems to be a strong focus on habitat here, which is good, because it's coming from the habitat working group, but there's a lot of other impacts, and I think this is what Laurilee noted, that there's impacts to fisheries on these actions, particularly wind or any kind of activity in the environment, the space program, and so I'm just wondering if the council is going to extend this to some of the impacts of these on other trust resources, fisheries surveys and other things. Particularly as a number of these activities in the blue economy ramp up, I think the council may want to also -- We're going to see the impacts, and they may want to broaden their policy. Thanks.

MS. MURPHEY: Okay. I'm going to let Myra jump in, real quick.

MS. BROUWER: Thank you, and, just to that point, you've noticed, in the committees, we've had the list of topics for the various advisory panels to discuss, and we've made sure to add an item to their agenda so that we can begin gathering input from the various species APs as to potential impacts of these activities on their fisheries, and so we've started to do that. We've started gathering that information, and the intent is to request a presentation for the June meeting, and we're still awaiting a response, but we've gotten that ball rolling already.

MS. MURPHEY: All right. Thank you, Myra. Jessica.

MS. MCCAWLEY: Two things. The first one, John Walter went kind of where I was going, but I think that this is bigger than just habitat, and I also don't think that it should be under energy, and I think it's a whole stand-alone separate policy that has to do with the space program, and so I'm glad that we're going to get a presentation on this in June.

The other comment was on this energy policy, and I assume, because of the wind farms that are going up in other council regions, that other councils have similar policies, and did you all look at

that? Do they have statements about dealing with energy, and so did you look at those in developing this policy?

MR. PUGLIESE: Well, this policy, right now, is the original policy, and so, at that time, they had none, in their regions, because nothing had happened with wind when we developed this energy policy, and so there was nothing available. That said, that's exactly some of the intent here, and the fact -- I think that Cindy may touch on this, that she is the key lead coordinating wind input, both in our region and their input into the Mid-Atlantic, and so there are some GARFO documents that have been prepared, and so absolutely we're going to not reinvent the wheel, where we can, and I think it's also maybe even more specific to our region, and it isn't --

If you look back at some of the other policies we do have on food webs, different things like that, they're not limited 100 percent to -- It may be used for the commenting on these, but they're relying on the impacts on the fisheries, and, in this case, survey discussions, and I think we have some real opportunities, I think through some coordination that I may do through one of the workgroups under SEAMAP, that we may look at habitat distribution and, at the same time, look at what that may mean, and, at the same time, maybe look at how some of the new technologies could help the surveys.

There is a number of ways that we can attack that, and so I think we can make the energy separate, and I agree with you on the issue of a separate space component, and it's a natural evolution, this discussion, you know, because that is a very different aspect, and we've been getting this together, and this is the first opportunity, and I think having both Habitat and Coral, at the same time, beginning to discuss it, and that will be a big foundation to set the stage for that.

Then, as you get some of the fisheries impacts from the other ones, that could really broaden that, and so I think it sets the stage, and this is really interesting, because those are some of the other things that we're looking at, is how we address under say the EFH review, or the blueprint maybe, because I think both of them can do this, is new policies -- Refinement of policies, but also new policies, and so we're going down the road of exactly what this process was intended to do, and so that can set the stage, and, you know, that can be the recommendation, to begin looking at that, and, as Habitat and Coral do it, maybe they can look at it in that context, too.

MS. MURPHEY: Thank you, Roger. Spud.

MR. WOODWARD: Well, when Laurilee said what she said, it kind of prompted me to go to the Kennedy Space Center website, and guess what? A rocket is going to be launched in three hours, fifty-two minutes, and forty-one seconds. A Space X Falcon 9 rocket is scheduled to be launched.

MS. THOMPSON: And the boats are tied to the dock.

MR. WOODWARD: Which I think gets to what Jessica and what John was talking, is there's a lot more impact, and we had what I hope is a failed experiment in a spaceport in Georgia, and it was very controversial, and we believe it has now finally failed, but it was very controversial, because one element of it was to allow rockets to be launched over marshlands, and, actually, Cumberland Island and Little Cumberland Island, both of which are populated.

The thing that was particularly troubling, I think, to a lot of us that presently work, and used to work, with DNR is that the authorization, in essence, allowed 2,500 acres of marsh to be used as a debris zone, which was kind of a bitter pill to swallow, when we have such protective laws, but yet, when it came down to it, it was like, well, if the rocket blows up and scatters in the marsh, well, we'll get it out, and don't worry about it. Anyway, it's a growing issue, and one that is complicated. It looks good, and it sells good for STEM education and high-priced jobs, but there is a multitude of unintended consequences that come along with it.

MS. MURPHEY: Thank you, Spud. I had Mel.

MR. BELL: I was actually, just going back to what was kind of the path we were on at the moment, which was talking about the energy, and so I had a question, and there's an April webinar, and has that been scheduled yet for the workgroup?

MR. PUGLIESE: No.

MR. BELL: Okay. There's no --

MR. PUGLIESE: No, and we were waiting to get kind of direction, formal direction, to move forward. The group is formed, to be used if the council moves forward, and that's what it comes down to.

MR. BELL: Right, and I was there when the group formed, and the volunteers volunteered, and, you know, they kind of had their tasking and all, which was a little bit different from the -- I totally agree with the space thing, but that was sort of a separate issue that I think we'll come back to in the schedule.

MS. MURPHEY: All right. I have Andy and Laurilee, but I want to kind of -- I know we kind of got onto space, and we're getting a little off topic, but I definitely think we've heard from everyone that we do want to have the Habitat AP look at the space industry and its environmental impacts on EFH, but, with that, I will go ahead to Andy and Laurilee.

MR. STRELCHECK: Thanks, Trish. As the agency that, obviously, works with other federal agencies on EFH consultations and, you know, trying to think through, you know, the most value for the council's role in policy, and one of the things that strikes me is kind of a comparison and contrast with the Gulf Council when it comes to wind energy, and that is that they have been asking for essentially meeting-by-meeting updates on wind energy development, right, and so one of the things that doesn't seem to be part of your policy, and maybe it doesn't need to be in there, but kind of what is your engagement strategy on these overarching, big-scale projects that are going to affect EFH, that are going to affect fisheries?

You know, the space program that's being discussed, I mean, I think there's some opportunities here, and, you know, we have busy agendas, and we've got a lot on our agendas, but what does your role want to look like, and I think that's an important discussion that you might want to have, and whether it's laid out in the policy or some other communication strategy, that's a good discussion to have with the advisory panel.

The other thing I will mention, just because Laurilee has brought it up, is I did have an opportunity to go back and talk to my team about some of the things that we consult on with regard the space program, and I've had kind of a brief opportunity to talk to Laurilee about really trying to get more information from our industry, and particularly the shrimp industry, about how often they're encountering space debris, where they're encountering it, what information they can provide about that impact to their nets, or any other activities, because that's going to help us then, when we're consulting on projects related to the space industry, to go back and understand these other indirect and direct impacts to our fisheries resources, and so I want to continue to work with the council on ways that we could gather that information and help inform our consultation process.

MS. MURPHEY: All right. Thank you, Andy. Laurilee.

MS. THOMPSON: Andy mentioned a key word, "engagement", and there is no engagement with NASA on this. We have repeatedly begged to be let in on the process, and so, you know, maybe you could fire a warning shot across the bow and say we're looking into the space industry, and we would like -- We have asked for a taskforce to be formed so that the community, and the environmentalists, and anybody else that's going to be impacted, could be involved in what's happening out there, and they won't even return our phone calls or emails, and so maybe they would talk to you. Good luck.

MS. MURPHEY: All right. Thank you, Laurilee, and so we definitely have space industry on the list for the AP to discuss. To get back to this policy, since they want to update it, does anybody have any additions or things that they would like to see in this policy, as far as energy? I've got a few things about wind, if I can say something, but I would leave it to everyone else first.

Okay, and so North Carolina has a big interest in this, because, as you all know, we have three wind energy areas, leases, off of North Carolina, and so I think that this is timely for wind energy, and just some suggestions, from reviewing what's in here now, is, in Number 7, under threats, you know, look at transmission cables, inter-array cables, ditching versus concrete mattresses. Under 11, acoustics, and pounding during construction has been a big concern for our North Carolina fishermen, and, also, EMF impacts, and I think there is very little research on that, but that's something that, again, our North Carolina fishermen are very concerned about.

Then another thing that I've kind of heard some discussion about is something called backbone cabling, and, so instead of each lease having a cable that goes all the way to the shore, if you can kind of tie them together and make it interact, there is less cabling, you know, less environmental impacts, if you've got fewer cabling to onshore, and so those are just some things from me, from a North Carolina perspective, and I'm glad to see that Anne Deaton is part of the sub-committee, because she's very familiar with our wind industry off of North Carolina, and so if it was okay that I add those as input.

MR. PUGLIESE: I think it's really good to have that as the workgroup begins to look at it, because this is the original policy, and so this has not been touched, or redrafted, since a good while, and so getting some guidance on some of those, and then they're going to really look at even broader senses of a lot of these, because I think there's a significant amount of things that can be added and updated and refined, but that gives them some good guidance, to make sure that those areas are highlighted as they move forward in this, and so I think that's important.

One thing that I did want to touch on, real quick, was following-up on Andy's comments on engagement, and I think we actually have been really good about having coordination directly with the fisheries liaison, originally with the Kitty Hawk Wind, and we had Rick Robbins directly presenting to you here, but then, at our last Habitat Advisory Panel, we had representatives from each of the leaseholders actually participate, as well as newly -- They introduced the newly-designate fishery liaisons, and so I think there's some real opportunities to have continued coordination, on a detailed level through the advisory panel, but then, as needed, maybe set it more in motion about those presentations, with the liaisons presenting to the council, as they progress down the road on development of action plans and research plans and foundational information.

I think we have the layout to make sure that, you know, it's covered in a number of areas, and, as I said, I think we have a real opportunity to go further than maybe other places have, in terms of connecting the research and all the other types of aspects.

MS. MURPHEY: All right. Thank you, Roger. Dewey and then Tom.

MR. HEMILRIGHT: I would recommend that the wind energy areas off of North Carolina -- We have had a presentation from Avangrid on the northern one off of North Carolina, but, to my knowledge, this council hasn't had a presentation of the one off the southeastern part of North Carolina, off of Wilmington, that has been leased and does have a fishery liaison, I believe, and her name -- She's from Hatteras, and I believe she's the fishery liaison, and I can't remember her name right now, but it would be a good idea for probably her to come give a presentation to the council, at the beginning, and then, maybe as stuff develops with them, following, to where, every two or three meetings, they give a presentation, and we have that at the Mid, from the ones up north and different things, where probably, at least every two meetings, there's some type of presentation on the wind turbines and the leases, or something like that, and so it might be good to start doing that, particularly in the southeastern part, since that hasn't been done, and that has been leased, just to see where they're starting as, and then, after that, follow-up, maybe every so often, or whatever the taskforce or different ones think.

MS. MURPHEY: Thank you, Dewey. Tom.

MR. ROLLER: I absolutely agree with Dewey. You know, I've had the fortune of attending a Mid-Atlantic meeting and seeing that, where wind is a lot more pertinent and bigger part of the discussion than in our region, and, down here, you know, it's mostly North Carolina so far, and so I just really want to reiterate the list of concerns that Trish said, and so I think that's very comprehensive, and it's stuff that our fishermen have brought up.

I think, from my perspective, one thing I've heard a lot about is concerns during the construction phase, and how that's going to really displace fishermen, and not just, you know, commercial, but for-hire in particular, and, with the lack of spatial data, I think that's going to be a really financially difficult time, potentially.

MS. MURPHEY: Thank you, Tom. Dewey.

MR. HEMILRIGHT: One last follow-up, and her name is Catherine McGlade, and she's a fishery rep, fishery liaison, for the southeastern Long Bay area lease for Duke Energy.

MS. MURPHEY: All right. Thank you, Dewey. I will look to staff. If everyone is interested in hearing from the Wilmington East, maybe at the December meeting, and is that possible?

MR. CARMICHAEL: Yes, and we can reach out to them and find out what works.

MS. MURPHEY: Okay. Thanks. I think we've -- Have you gotten enough feedback on this?

MR. PUGLIESE: Yes, and just a quick note that a number of these presentations are linked directly on the last Habitat Advisory Panel, and those representatives were there and did present on Wilmington East, on updates for Kitty Hawk, both the inshore and the offshore component, as to how that was working out, and so there's a number of foundational ones that happened at that one, and so those are good to go back to, and we have links on those through the site, too.

MS. MURPHEY: All right. Well, let's go ahead and move on to Number 3, the Five-Year Essential Fish Habitat Review, and I think both Roger and Cindy are going to give us a walk-through through that planning.

MR. PUGLIESE: Under Attachment 3, there's a document that's been provided that provides a little bit of the background and foundation of where we are, and I think what I'm going to do is to go directly to Cindy, for kind of an initial discussion and talk about the timing and process that's been laid out. Cindy.

MS. COOKSEY: Okay, and, before I get into this, I just wanted to offer, as I'm the biologist that is consulting on all three of those offshore wind energy areas, that, if anyone is interested -- If the committee is interested in like a quick, five-minute update on where we are, I can certainly provide that now, but, right now, I will focus on the five-year EFH review.

Going back into what we are required, what the council is required, to do under Magnuson-Stevens, which was, of course, the original designations, which were completed in 1998, and there have been, of course, updates on EFH over time, but it's also established, under the mandatory requirements, that we engage in a five-year review. Now, interestingly, there are no specific requirements to what the five-year review should include, and so we have a great deal of variability in how we approach the five-year review, and, in the past, the council has -- We've done through the Fishery Ecosystem Plan I and II, as well as the development of the EFH User Guide, which has actually been incredibly useful in providing to applicants throughout the Southeast, as they go through the process, the regulatory process.

We are now looking at needing to complete another five-year review by approximately the end of 2024, and so, as the Habitat AP Chair, I brought forward the concept, with Roger, of how we can go about that, and we have a number of different processes that are kind of on the table for us to use, which include potentially just updating the user guide again, but we really wanted to bring forward, to the committee, the ideas that we have laid out on how to go about this next five-year review and to get your approval to go ahead with that, and so I believe that Roger is going to jump in with his presentation on some of the processes that we are looking at to do that.

MR. PUGLIESE: Yes, and so I was going to move on into it and just highlight, quickly, that one of the things we're going to be looking at is which of these different areas would be looked at in

this region, and I think that's going to be one of the first things that I identify. This is what we have as the layout for the process, and it does touch on some of the points that Cindy had made.

It starts with our discussion that we're having here at the council meeting on the process that's been laid out on timing, coordination with Habitat Conservation, and the Habitat and Ecosystem Advisory Panel, to advance the discussion on the EFH five-year review. The Habitat and Ecosystem AP will be meeting May 16th through 18th, and so that's really kind of the biggest springboard to advance this. There was discussion on trying to get some pre-work on it, but I think this is going to be pretty critical to just get things together to be able to advance it this way, and so that's going to really highlight on what the designation history is, and so we do lay out the whole process, going from the habitat plan, refinement in the Fishery Ecosystem Plan I, and then in Fishery Ecosystem Plan II.

Then review the designations that exist in our EFH User Guide, and that's an opportunity to look at additions and ways that can be even refined further, and then review components from Magnuson, and those are the ones that I touched on, and which ones we actually will be really addressing within this review, and then review the focus areas, and that's the key that I was highlighting.

Identify who some of the technical contacts on the AP are and then experts that can provide some of the input on what has newer information, relative to the species and the habitat areas we're talking about, and then have a consideration, and I've already talked with Kevin Craig, and the intent is that, hopefully, the climate vulnerability assessment will actually be completed and that we will have that available and highlighted, so that we can understand what are some of the vulnerable species, as we start talking about the EFH and what the implications are for those EFH.

The Habitat -- They will identify a workgroup to advance these different activities, and the intent is that the AP workgroup would be identified at that meeting, at the May meeting, and move forward with some initial things, such as review of prey for managed species, and we have the opportunity to pull those all directly out of what we did with our last EwE, so that we can hit one of those directives that we really didn't get a chance to kind of do in the last one, and make sure that that's shored up for everything we have.

Look at management actions, and here's some of the convergence and connections with the blueprint, and we have management actions under FMPs that protect EFH that we had compiled information as background and foundational information for the blueprint that I think we can look at and potentially touch on, or highlight, or look at anything beyond what may be there.

Again, the progress report would be at the June meeting, with the AP report, or during the committee. The workgroup would then also meet, with webinars in August and September, to have preliminary review of the available managed species habitat information by FMP, and then you're really putting it in the context of how -- You know, are there things missing within the existing user guide, the designations and refinements, very similar to how we did some of the activities before on the ability to actually clarify those and build that information. The idea is then that that would be brought forward again, with an update, for our September meeting, and then the Habitat AP is scheduled to meet in October, the 16th through 18th, and, based on those reviews, really begin to complete the components and specify revisions, clarifications, and additions for the user guide, so that we would be able to advance this to the council then later.

That's the process that at least we're walking through, and the key one is going to be those discussions and evaluations and review that we have at the upcoming May meeting to set this whole process in motion.

MS. MURPHEY: Okay. Monica.

MS. SMIT-BRUNELLO: Roger, would you remind me what EwE is? That's back after the June bullet, below that, and it has to do with review prey for managed species from EwE.

MR. PUGLIESE: The acronym for Ecopath with Ecosim. When we did -- One of the most significant efforts that happened under the last process was probably the most comprehensive compilation of prey information out of almost any Ecopath model that's been developed, and so I think we're in good shape to at least have core foundational information to meet one of those directives that really didn't have nearly that -- Any of that information, and it was pieces and parts. Here, I think we can kind of line those all up and at least have the most information, with the reference and everything else, and so that's where that comes from, is the Ecopath with Ecosim that we have been evolving over the years and refined and did evaluations for red snapper, the last time, and different things, but that last iteration, the prey component of that, will be a tool that we can use.

MS. MURPHEY: Any questions or guidance to Roger on this process? I have a question, Roger. Is this going to be -- This will be the full AP, or will it be sub-groups, or, as you get into it, you may break into sub-groups or --

MR. PUGLIESE: Well, that's what the workgroup -- It's the full AP, with workgroups working on different things, and we'll discuss exactly how, you know, that advances, but the intent is to be able to get some of these sub-tasks accomplished with, as we have with other things, sub-groups that would be able to attack those different ones, and we'll have those discussions, and pin down maybe a little bit more refinement, and this is kind of laying the core strategy out, and then what's going to be the most efficient to get those types of information available, so that then the full group can look at it, and then the council can have the material.

MS. MURPHEY: All right. Thank you. Any other questions? Okay. Did Cindy have anything to add?

MR. PUGLIESE: Cindy, did you have any other thoughts or comments on this? I think, as long as the council is good with this process to move forward, I think that's the directive to the AP, and we'll advance it at the May meeting.

MS. COOKSEY: You covered everything perfectly, Roger, and I just look forward to getting started on this, and, you know, I do understand that the process may appear a little open-ended right now, but that's really because we wanted to wait until the May meeting, and we have the full AP, so that we can kind of have the gathering of the minds and come up with the best process at that time, following this very generalized outline.

MS. MURPHEY: All right. Thank you, Cindy. We'll go ahead and move on to the CCC Area-Based Management Sub-Committee Update, and this is Roger.

MR. PUGLIESE: Okay, and I wanted to highlight, for the council, where we are with some activities pertaining to the perspectives on America the Beautiful actions, otherwise known as the Thirty-by-Thirty Initiative. This is highlighting the fact that -- A first quick note is this is a presentation that I have adapted, or tweaked, slightly, from Eric Reed, the chairman of this committee, and Jessica Coakley, who presented this version also to our Mid-Atlantic Council partners, and so this is building on it, and it has some foundational information, and it really does tie what the councils are and then how we are addressing it through this effort.

As it states here, we're talking about this is a coordinated effort between all eight councils, and the mandates on the councils are significant, and, under Magnuson, we have a process, really, and we have guidance on the National Standards that drive us, and they really provide the foundational information, and this leads to the experts in the natural resource management and is really significant.

The Council Coordinating Committee, which consists of the chairs, vice chairs, and executive directors of each of the councils, meet twice annually to discuss the issues, and they formed the Area-Based Management Sub-Committee in 2021 to support the CCC's response to America the Beautiful, or Thirty-by-Thirty. The sub-committee is comprised of staff representatives from all the eight councils, with assistance from NOAA Fisheries, and that's the representation, members of each of the councils, as well as GIS specialty and others from NOAA Fisheries that help advance this process.

One of the things that we're trying to do is really highlight the extent of the council's investment into conservation, into area management, and, actually, I will highlight some things, because, in the document, I am trying to go beyond what this -- Trying to address this directive, because I think it's really important to make those points, especially for the South Atlantic, but really highlighting how we're driven by the National Standards, and all these key areas really help the foundational work that the council does in not only area-based management, but to support conservation and management.

With those standards, you do have then, with the America the Beautiful principles, and you look at what some of these different ones are, and, in America the Beautiful, you have like pursue the collaboration and inclusive approach to conservation, and, you know, the connection with Magnuson, and how Magnuson deals with these, I think is pretty clear, and so I am just going to touch on those. The conservation of America's lands and waters for the benefit to all people, support local-led efforts and conservation efforts, and, now, we don't have the next one nearly as much, the tribal sovereignty and support of the priorities of nations.

Pursue conservation and restoration approaches that create jobs and support healthy communities, honor private rights and support voluntary stewardship efforts and private landowners and fishers. Then use of science as a guide and to build on existing tools and strategies and an emphasis on flexibility and adaptive approaches.

There is a draft definition of conservation areas that is identified and presented in the developing report, and it lists an established, geographically-defined area with planned management or regulation of environmentally-adverse fishing activities that provides for maintenance of

biological productivity, biodiversity, ecosystem function and services, including providing recreational opportunities and healthy, sustainable seafood to a diverse range of consumers.

The sub-committee developed a criteria for identifying a conservation area, based on Executive Order 14008, through four steps of incorporate characteristics of other effective area-based conservation measures, and we use OECMs, as defined by the International Union for Conservation of Nature, and that has actually shifted a little bit, because FAO came out with a document that is a little more shifted toward fisheries, and so the more recent refinements are leaning toward using that information, and I think it's a little more expansive in the way that it addresses it. It included steps specific to how the report principles are laid out, and, if the area meets all those four steps, then it qualifies as a conservation area.

Here are the steps. Does the area meet the working definition of conservation area? What is the government type, and is there a management entity? The objective of the area, and we have three categories identified as ecosystem conservation, year-round fishery management, and seasonal fishery management. Now, does the area meet some or, ideally, most of the ATB principles? This was the way we kind of processed the information to get down to all of the different areas that have been identified.

The sub-committee also developed an evaluation process for the candidate conservation areas, and we have two separate tools. We developed a worksheet to document how each of the areas qualifies as a conservation area, and we have a checklist to evaluate and monitor the effectiveness of the conservation area metrics, the enforceability, climate resilience, stakeholder participation, research and biological monitoring, and public access. If a specific element is determined not to be effective, actionable strategies could be included to improve that.

These are some of the sheets that were laid out, the conservation area worksheet that I have noted, and then the effectiveness worksheet, and it's kind of highlighting the ones that I just touched on, those main areas, and getting a little bit more terminology to align some of those, and this was a preliminary review, and this has been modified even -- I think our area ends up being about 174 areas, and the overall has been adjusted up to I think 624, in the last iteration that I saw for this, and so those are including all three of the different categories, and this is an example of a sheet that does lay out summary tables of some of the areas.

The Mid-Atlantic -- Some of the Mid-Atlantic areas are represented on the left. On the right, we have some of the South Atlantic, and we have the deepwater coral HAPCs and then even going into the marine protected -- One of the marine protected areas, to see how you have the focus, the area name, the size, the specific CFR where this is identified, the actual prohibitions, and then how this aligns with the America the Beautiful directives, those eight points.

We're where at right now is the document is almost totally complete, and we're finalizing -- The GIS, what they wanted to do was try to make sure that it was kind of connected between all of the entire country, and so it was one standard format in the way it gets presented in the documents, so that then the area calculations are on the EEZ areas that these are covering, and so it was contracted with, through the New England Council, to the Pacific States Commission, to build the information that we are using now, and have consolidated this, and, actually, a tool was going to be available, and it mainly was done initially for us to be able to review, and we'll see, as the CCC discusses it, if they want -- If this is something to be identified.

A quick qualifier on that, and I think that's a great way to go, but I think there's so much more with our region that you need to have a lot of the other types of information available to understand, you know, how much more there is than just say these managed areas themselves.

The report is going to be finalized with those appendices and presented at the May CCC meeting. We'll continue to coordinate with NOAA. There is supposed to be a comparable atlas that is being developed at the NOAA level, separate to address specifically the America the Beautiful directive in all of the areas, and so it's supposed to be everything, land and sea-based information, nationally, and so this is going to be a beast, as it moves forward, and so it's still in development. They were supposed to have it done like last year, and it's not done, and it's moving forward.

One of the other aspects that we're going to do is prepare, and I have prepared most of it, is a journal article based on this, and I think these are some key things that I wanted to highlight, and let me touch on the summary. Fishery management contributes to effective, durable conservation by improving biodiversity and ecosystem health. The CCC committee has identified, and, as I said, it was at 617, and, even, actually, I think it's gone up beyond that, but that contribute across the conservation continuum.

The councils' and NOAA's approach is adaptive management is designed to meet challenges, mitigating impacts from and ensuring resilience to climate change, and it's an inclusive, stakeholder-driven process for identifying management solutions, and it's grounded in the best available science and some of the world's most stringent sustainability and conservation standards, and so it's a foundation there, in summary.

The key that I wanted to do is, for our region, one of the things that I have been very vocal, through the committee, is that we really need to highlight all the information, or all the other actions, that have happened, and so we have, in the appendices, a separate section, and what I have done is included, and I think this is one of the most important things, an entire list of the allowable gear areas and then showing how many of the other gears are actually prohibited in our area, because it's sometimes an illusion.

If you look at a map of just these structural things, you miss the point that you have, you know, virtually dredges totally prohibited in our all our entire region, and, even in the way we've laid some of this out, if you then look at gears for the different areas, that number isn't -- Even though it's going to be included, it's still like a shortfall from what we really have, and so not only is that included as a table, but I've also included all the other things, such as, under the coral plan, the prohibition of harvest, the explosives and all that, and it covers the entire EEZ, and so a lot of those covering the entire EEZ things really didn't get in there.

Our fish trap prohibition, since it was not a gear-related, or a, you know, spatial footprint type of thing, that didn't get -- But it is going to be in the document, because it's going to be laid out, that and any of the other -- Including, you know, where we have the species prohibitions, where we have seasonal species spawning closures, different things like that beyond that, and so I'm trying to include virtually all of that, to make it clear, and it even goes one step beyond that, because it does highlight the user guide that highlights that state-managed areas need to be considered as the atlas is advanced, but this focuses on the EEZ, but that critical link to all those state and inshore habitats in our region is massive, and, if you don't consider that, you really lose the consideration.

That's where we are and what -- You know, I've been trying to really be strategic on making sure that, you know, a lot of that other information is really highlighted, because I think that's the key. Those layers of conservation, this council has been building over all the years, from whether it be the habitat-based foundation, like what we've done in the coral, coral reef, and live-bottom plan, and the sargassum plan, and then the fisheries regulations on that, and we have all these different tiers that go far beyond just the footprint of spatial management, and so you have to look at it all in combination to really understand the broadest sense of what we've done in the South Atlantic, and I think it's definitely the way to capture this even further, and so that's where we are.

MS. MURPHEY: All right. Thank you, Roger. Jessica.

MS. MCCAWLEY: Thanks, Roger. This project is near-and-dear to my heart, and so I appreciate all your work on this, and I agree with everything you're saying, that it seems like we have these additional areas that might not really be captured, because they kind of don't fit in the structure of this report, and I look forward to looking at the whole document, but have you heard how they're going to bring in the states?

I know I keep asking that, but you're right that we do have these areas that are inside state waters that we could provide, and so that was one of my questions, and my second question is I hope that this isn't getting provided, and then we hear, okay, well, none of these can be considered, and you need 30 percent more, you know, because it's a Thirty-by-Thirty, and I hope that they don't just say like, okay, great, but we're not going to count any of those, and now you need all these additional areas, and have you heard anything about that either?

MR. PUGLIESE: Well, you know, some of those workings on the other side -- I'm not sure where they're going to ultimately go on those, but we do have the individual that is on the policy level from NOAA that's in there and has been providing this and highlighting this, and I think it is at the absolute best position to be a foundational information for what's going on.

Now, that said, we were talking with one of the GIS people about saying that, well, these will qualify under here, and he was like, well, we're evaluating the -- I think there is -- Now, there was a lot of effort to focus only on the EEZ here, and so that's why I said it was really critical, under both the sub-section in the appendix as well as in the journal article, to highlight all the things beyond here, because I think that's really important, the state connections.

They are acknowledging that they are doing all those, because they are supposed to do all land and other based areas, and so, you know, that's why I was trying to get ahead of the curve by us doing it, because I think the user guide we have does a good job of linking back to at least some of the core areas and highlights, because, you know, we kind of did the EFH HAPC designations on a lot of the state-designated areas, which are absolutely critical, and it goes beyond just the core habitats that we've designated.

It's not really clear about where they're going, and they said that is all going -- I think a lot may be going more through Fish and Wildlife on some of those types of things, and so we're getting a little bit of an idea, but I think we're trying to do as much as we can, and I'm trying to do as much as I can, to make sure that our linkages, and our highlighted areas, are well identified, and, like I said, while this is a footprint, I think the real key is that it's so far beyond this directive, because

the way they structured -- When we had that OEM thing, it made it really tight, and then, you know, our experience in the past is look what they did with the marine protected area system, where they basically said none of the council's designations were in those, which was totally -- I am not going to say beyond that, but it's kind of ridiculous. Sorry.

MS. MURPHEY: Jessica, have you got a follow-up?

MS. MCCAWLEY: Do you have a name of a person that I can talk to? I mean, we have a team, ready to go, at the FWC that includes the terrestrial side, the freshwater side, the marine side, and we have maps and other things, and so maybe you could send me an email of the name of the person that we could talk to, so we could try to engage further at the state level.

MR. PUGLIESE: I would -- Just from our coordination with Heather, and she's the policy person, and she will know -- If she doesn't have it directly, she will be the one that can connect you directly into who that is, and she also has been the champion to highlight this as being a significant input into the atlas and into the overall process, and she's been, I think, very effective at making those points, and so I think -- I will provide you her contact information.

MS. MURPHEY: All right. Thanks. I've got Mel and then Laurilee.

MR. BELL: I think maybe you answered my question, and I was going specifically to the MPAs and all that stuff, and so that's part of, for us, the 174, or whatever it is, or that's still not in there, and then the other question, of course, is does that meet the sniff test for the 30 percent they're looking at, and it sounds like that's still up in the air.

MR. PUGLIESE: Yes, for the first question, the MPAs, spawning special management zones, deepwater coral HAPCs, Oculina, the black sea bass prohibited areas, the seasonal closure, and the closure for dolphin, and all of those are included in there in our documentation. I don't know where they're going to go ultimately with things, but I think this is the highest -- Putting all of ours together, and, if you look at all of those, the seasonal to the ecosystem components, yes, I think we're well beyond those. If you focus only on ecosystem, those fall short, because of some of the -- You know, I think you have to look at both ecosystem and fisheries, and then, if you add all those other ones that we have -- I mean, coming right out of the gate, you could say, well, we've got all those gear regulations that we have for snapper grouper, and you're at 100 percent.

I think that issue is, you know, to be discussed further, on making sure that it's understood in context, because I think, if you combine all those areas that we have for the South Atlantic, it ends up with like 54 percent right now.

MR. BELL: Jessica is right, that they're not engaged with the states, and that's not a good thing, at this point.

MR. PUGLIESE: Especially when it's land and sea, and, my god, I mean, that totally misses any areas, and not only us, but then like the -- You know, the Pacific, and all these interconnections are lost, if they don't have those integrated in here, and they say that they are integrating all that into the system. I know, through -- There has been discussions in SECAS and everything, and so a lot of those bounds may be encompassed through a different avenue, and so I hope that they use some of the other ones to tap back to state information, but it would be nice if it was more direct.

MS. MURPHEY: I've got Laurilee.

MS. THOMPSON: Roger, I want to thank you, you know, for all the work that you've done for all these years. I mean, I can remember, twenty-five years ago, sitting at that table right there, Henny Penny, and the sky is falling on our estuaries, and the sky is falling, and you need to look at the estuaries, and I always met with, nope, it's not in our wheelhouse, and we only look at fish that are in the EEZ, and you have fought.

You know, I mean, back then, you had hair, and my hair was brown, and look at us now, but you have taken such a leadership role in guiding this council to be the leader that it is in ecosystem management and understanding the value of ecosystem management, and I appreciate it. I mean, we've locked horns, you know, down through the years, over some things, but, overall, you've done a great job, and I appreciate you. Thank you.

MS. MURPHEY: Any other questions for Roger on this? Chester.

MR. BREWER: Roger, this may be slightly outside the wheelhouse of what we're talking about, but, I mean, Jessica is right, and, I mean, at least in the State of Florida, it's been recognized, the importance of the estuarine environment, and there's been a lot of work done, and a lot of work done from the standpoint of our artificial reefing.

In this document, is there -- Let me go back and say that those projects ain't cheap, and they're just not cheap. Cleaning up those ships, to put them out there, is really expensive, and moving the marsh grasses out and planting those -- You couldn't afford to pay somebody to do it, and you've got have volunteers, just from an economic standpoint of it, and is there anything in this plan whereby the -- I will call them the feds, but the feds are encouraged to help with some of the expense involved in these projects, because, while the areas that are being worked on may not be in federal water, those estuarine environments have a tremendous effect on what is going on outside of three miles, because you've got some of these species that, if you don't have an estuarine environment for them to breed in, and spawn in, you're not going to have those species, and it's just that simple. Anyway, that's my question, and it may be outside of the purview of what's being addressed here.

MR. PUGLIESE: Yes, and absolutely -- You know, especially for us, that's some of the most important. In this document, there was a very specific directive to focus on the EEZ side, and so I think it alludes to those connections, and then we've taken it a step further on ours, but, you know, generally, it doesn't get down into the weeds on that, and the hope is that the America the Beautiful effort, as it deals with those others, does that, or at least that's the hope, but, like I said, I've tried to do as much as I could for at least highlighting our connections in the South Atlantic, and all the activities we've had, and so I think there may be, hopefully, things beyond this, and, you know, our council has gone far beyond this in the past.

I mean, I look to what we tried to do with building the Fishery Ecosystem Plan interactive, and we deferred directly to a lot of the state -- Not only did we present the information, but then we went directly to the most recent state information, the restoration information, the plans, all those types of things, and I think that's the key, in the longer term, for the real conservation efforts, beyond what this is directing, and so it would be nice if it was more, but, you know, not in this context.

MR. BREWER: Thank you.

MS. MURPHEY: Okay. Laurilee.

MS. THOMPSON: So we've kind of touched on the concept of revolving area closures for red snapper hotspots, and would those qualify to be met with the America the Beautiful initiative or do only permanent MPAs count?

MR. PUGLIESE: I would -- Rotating ones would not cut it in this type of situation, that I got, at least the way I interpreted at least some of the other areas that use some of those, or, if you look at the way the America the Beautiful is -- It's looking at fixed areas that have been established and will be maintained over time.

MS. MURPHEY: All right. Any other questions? I just want to do a check-in, and does anybody need a biological break, or do you all want to keep going? Let's do a ten-minute break, and so come back at 11:20.

(Whereupon, a recess was taken.)

MS. MURPHEY: Okay. We've just got a couple more things, and I think Roger is going to discuss the coral work, and then we'll talk about the AP list.

MR. PUGLIESE: We have the item on coral research and monitoring, or coral management, and what this really did focus on was kind of two aspects, our Coral AP potentially meeting in the future and really the issue of all the research that has accomplished, the deepwater research that was presented during our last -- During our November seminar series and has been updated for our Habitat and Ecosystem Advisory Panel, and it was in the last report, the extensive nature of all the research and monitoring in the deep coral areas, and especially in the lophelia, the completion of almost all the mapping within say the Stetson-Miami Terrace HAPC and then the extensive work done on the Blake Plateau that has found coral in virtually all of the ROV dives, and the most extensive areas that people -- Hopefully members were able to listen-in on that. It's the most extensive distributions in the entire world of these areas.

It's really exciting to see that much work done, and there were some aspects that were still lingering, and we do have some of the recommendations to move forward to start looking at what conservation opportunities are available from the Habitat AP, and the Coral AP was able to listen-in on those efforts. However, they didn't have an opportunity to weigh-in on some discussion on conservation into the future.

Also, they were tasked with looking at -- There was deepwater coral ecosystem -- Deep-sea coral modeling done, through Matt Poti's office, that is going to be reviewed at our April SSC meeting. That, once it is discussed, reviewed, and provided, will provide another aspect of the deep-coral systems, both in acknowledgement of the distribution, maybe areas beyond areas that they've seen, but it provides that additional part, in combination with all the actual active research, ROV and mapping, that has been done.

What that does is provides an opportunity for the Coral AP to have a number of things, a review of the SSC review of deep-sea coral modeling, initial discussions on avenues for consideration for conservation of newly-discovered deepwater coral ecosystems, and potential impacts from the space operations, the areas we're talking about. In discussions with Cindy Cooksey, the chair of our Habitat AP, I think, really, what this probably most efficiently would be is to have a joint session between the Habitat and Coral APs, as a webinar, a couple-day webinar or something like that, so that we can accomplish all of this, so that we don't have to have some of these done during the May AP meeting and focus on all those other lists of -- Especially since now they have the other policy coming back.

We've got that policy, the energy policy to discuss, EFH review, the blueprint, and we'll get into that list later, but what this does -- By doing it as a joint session, I think it can really then focus it, and the good thing about the last one is that they can look at potential impacts from space operations in a context of, if you're going to do a policy, where there's going to be something, and so it really kind of is a great springboard for starting that process, and so that would be the idea under here, is to be able to address these areas with the ability for both groups to really focus in on some of the newer things, with say newer analysis that may be done, because I know there were some things that were identified, and, as they're doing the deep coral information, they were going to do some subsequent analysis that could be updated, and we actually have Heather Coleman online, listening in, just to know where everything is going.

That would be the most efficient way, would be happening after the May meeting, and so that's what is kind of on the table for dealing with these issues right here, and then we'll get into the Habitat and Ecosystem AP meeting after this.

MS. MURPHEY: Jessica.

MS. MCCAWLEY: Thanks. I am not suggesting that this needs to be done at the upcoming Coral AP meeting, but just a reminder about those sixty coral areas that we're commenting on in the sanctuary's plan, and I think that the council commented on them, and then the Gulf Council has been talking about this as well, in updating those areas, making sure, following Hurricane Irma, that the corals that we think are being protected in those sixty areas are still actually in there, that they're actually in there, or maybe they need to be moved, et cetera, and so I think that that's something that the sanctuary maybe has some money for, and I think they've already started talking to the Gulf Council about it, and so I'm just putting in on your radar, and that might be something that the AP can help with, and, once again, it doesn't need to be done by May or anything of that nature, but I'm just putting it on your radar.

MR. PUGLIESE: Well, and that was one of the reasons to discuss other things that they really do need to address, and that was kind of in the wings for them, and, you know, that may be -- Depending on if there's resources to advance that, and that may be something that we could do -- You know, initiate via webinar, as a separate area, and so there is avenues to address it, but to get it on the record, so that they know that it's coming, is probably a really good thing.

MS. MURPHEY: Laurilee.

MS. THOMPSON: When is the Coral AP meeting? Have you set a date yet?

MR. PUGLIESE: It's not set. What this may be is a joint -- That's what I was saying, is the idea here would be potentially this would be a joint session webinar, and we'll get everybody to know when that's going to happen, and it will be after the May meeting.

MS. MURPHEY: Any other questions? I guess everyone is good with the joint, having the joint webinar? I think that would be a good group to get together. All right. Seeing none, we're to our last agenda topic, and that's the draft list of agenda item for the AP, and I will go ahead and let Roger cover those.

MR. PUGLIESE: This is for the spring 2023 and not the fall. Cut-and-paste sometimes gets you, but it's the spring, May 16th through 18th, and we have the Habitat Protection and Ecosystem-Based Management AP meeting in Charleston. Items that are listed include the climate vulnerability assessment, and, like I said, I'm trying to pin them down, to make sure that we have that, so that, as we talk about the EFH review, and just all of these different things, that it is in the context of climate.

Update from Habitat Conservation, and we usually get that consultation update on what are the big-picture things that they've been working on and areas to look into the future. The five-year review, linked to what we discussed earlier on, a kind of deep dive to advance how the process is going to move, identification of, you know, seeing what we have and then tasking of a workgroup to advance it.

Research needs, and this is something that connects both into, I think, the long-term blueprint, but also into our council research plan and the opportunity to refine -- That's going to be brought forward to the June meeting for the council, and all the aspects of that are going to be looked at, and so the opportunity to look at that. That actually may be something that we could also roll into that joint session, and so we'll talk about it, because we're trying to give as much time here to especially address these big, higher-end ones.

Update on the habitat blueprint and input on some of those ones that cross-walk between the different systems. Then a BOEM update on offshore -- I think what we've been doing is making sure that we have a lot of the detailed presentations and information and discussions, so then it's all accessible to the council, and then strategically do that. We did not have some of those fishery liaisons named yet, because Rick Robbins left, and so we have opportunities then to have also council presentations after that, kind of to spin up -- Because that's kind of how we did that last one.

We had the AP initial discussions, and then Rick came and did a focused discussion at a council session, and so, now that all of them have been named, and it's for each of the areas, because I think Duke actually, in the area, the two groups, both of those have their own fisheries liaison, and so there's two for one area, and so we'll get that sorted out, but I think we'll keep the process of making sure the engagement -- It's pretty critical to make sure that's there, so that, as we do the policy update, and that's the next thing, that update on the EFH energy policy, and now I would say, given our discussions on the joint sessions, the coral items and the space operations could be addressed during the joint session.

We do have the scenario planning update that I wanted to at least provide the group, and, again, that might be something we can do at the joint session, and so, you know, there's a little latitude

on a couple, but the one that isn't in here is then the review of the existing beach policy, to address the state concerns, and so that's the list that we have.

MS. MURPHEY: All right. I have Mel.

MR. BELL: Were you planning on a half, whole, half-day situation, or were you going whole, whole, half, because I'm just --

MR. PUGLIESE: For the Habitat?

MR. BELL: For the meeting, yes.

MR. PUGLIESE: The Habitat is half, whole, half. We got as much time as we could to kind of do it over that time period.

MR. BELL: Right, and so I was just trying to gauge how much -- Because some of these could be fairly --

MR. PUGLIESE: Well, that's why the discussion on space and the broader things on the review in the coral areas, all that stuff, if we can do that in the session with the Coral AP, and pull it off of this agenda, and that was -- You know, Cindy's recommendation was let's try to keep as much time as we could to do all these other ones, especially now that you've added the policy review of beach -- To, you know, fine-tune it, and that adds another one here, and so that's even more, and then, like I said, we could almost maybe even have the climate update for both of those separate with that too, just to -- We'll look at the timing, when we actually lay the agenda out, and, if that is the best, to get it in that joint session, that will be the strategy.

MS. MURPHEY: Carolyn.

DR. BELCHER: I was actually thinking about making that suggestion of maybe it would be helpful here to at least see what the potentials of things that would be shifted off of this list, so that we're a little bit more clear on what we would be giving to the Habitat AP.

MR. PUGLIESE: Right, and, really, the only ones that I see would be the climate, the coral, and space. The addition in this would be -- The one that's not on the list is the beach policy added back into the list.

DR. BELCHER: Yes, and, again, for me, I just feel better if it's a visual that we kind of talk -- If it's identified that way for the report.

MR. PUGLIESE: Yes. In the report, yes, we'll do that.

MS. MURPHEY: All right. Any other questions or comments or other business? All right. Seeing none, I will call this committee adjourned.

(Whereupon, the meeting adjourned on March 9, 2023.)

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Transcribed By
Amanda Thomas
April 18, 2023

SAFMC 2023 Mar Council

Attendee Report: Meeting (3/6/23 - 3/10/23)

Report Generated:

03/13/2023 09:03 AM EDT

Webinar ID

199-009-555

Actual Start Date/Time

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8 hours 54 minutes

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Attended	Last Name	First Name
Yes	Aukeman	Trip
Yes	Bailey	Adam
Yes	Beal	Bob
Yes	Beaty	Julia
Yes	Bell	00 Mel
Yes	Berry	James "chip"
Yes	Bianchi	Alan
Yes	Borland	Gary
Yes	Brennan	Ken
Yes	Brouwer	Myra
Yes	Bruger	Catherine
Yes	Byrd	01Julia
Yes	CONKLIN	00The real CHRIS
Yes	Calay	Shannon
Yes	Cathey	Andrew
Yes	Chaya	01Cindy
Yes	Coleman	Heather
Yes	Cooksey	Cindy
Yes	Cox	Jack
Yes	Crosson	Scott
Yes	Dale (NMFS SERO)	David
Yes	DeFilippi Simpson	Julie
Yes	DeVictor	Rick
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Yes	Merino	Joy
Yes	Merrifield	Jeanna
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Yes	Murphey	Trish
Yes	Newman	Thomas
Yes	O'Shaughnessy	Patrick
Yes	OFarrell	Halie
Yes	Oden	Jeff
Yes	Oliver	Ashley
Yes	Package-Ward	Christina
Yes	Pierce	Brett
Yes	Pitts	Nicole
Yes	Poholek	Ariel
Yes	Rathke	David
Yes	Roller	00Tom
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Shim	Kyuwon
Yes	Smart	Tracey
Yes	Snyder	Dave
Yes	Spurgin	Kali

Yes
Yes

Sramek
Stam
Takade-Heumacher
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