



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Carolyn N. Belcher, Ph.D., Chair | Trish Murphey, Vice Chair
John Carmichael, Executive Director

Habitat and Ecosystem Advisory Panel Meeting

Marriott
170 Lockwood Blvd.
Charleston, SC 29403

The Habitat and Ecosystem Advisory Panel (HEAP) convened at the Marriott in Charleston, SC from November 1-3, 2023. Meeting agenda and overview may be found at:

<https://safmc.net/events/nov-2023-habitat-ap-meeting/>

Trish Murphey, Habitat and Ecosystem Committee Chair, provided opening remarks. She thanked Stacie Crowe for stepping up as the chair and Roger Pugliese for his 38 years of work.

The vice chair Stacie Crowe presided over the AP as the new chair. The vote for Vice Chair occurred at the end of the meeting.

NOAA Fisheries HCD Essential Fish Habitat (EFH) Consultation - Annual Summary

Pace Wilber, NOAA Fisheries Habitat Conservation Division (HCD), provided an update on Southeast EFH Consultation activities from (year) to (year)

- Consultations focused on large scale infrastructure.
- Additional staff are being hired.
- Consultations by from FY2014 to FY2022: FL 58%, SC 18%, GA 10%, NC 10%, PR/VI 4%
- Consultations are mainly for projects in the intertidal zone.
- Consultations are becoming more focused on larger projects i.e., wind.
- Reviewed fish passage team, Cape Fear lock and Dam, Coral conservation projects, offshore wind energy projects, and the Port Everglades Deepening project.

Member Comments and Recommendations:

- The panel identified living shorelines and tide gates as emerging issues that need to be brought to the council as future concerns. These types of projects are increasing in number and will continue to increase with sea level rise.
- The panel requested more information on these issues to be discussed at the next meeting.

EFH 5-Year Review

At the Spring 2023 meeting, the previous chair Cindy Cooksey walked through the 5-year requirements for the EFH review. The review is due by the end of 2024. A series of focal issues were identified, and the following working groups were formed to address them. Additionally, the Panel requested a review of the Climate Vulnerability Assessment (CVA) and how it may be used to inform or review EFH designations.

- Buttonwood Clarification Subcommittee Report - Simen Kaalstad, ASMFC
 - Work ongoing.
 - Recommendation below
- Limited FEP II Update (Prey and References) Subcommittee Report - Wilson Laney NC State University
 - Work ongoing.
 - No recommendations currently
- Tidal Freshwater Boundary Subcommittee Report - Casey Knight, NCDMF
 - Work ongoing.
 - Recommendation below
- Climate Vulnerability Assessment – John Quinlan, NMFS SEFSC
 - CVA uses expert elicitation and projections to assess exposure and sensitivity to expected climate change. This provides a measure of the vulnerability of species to climate change.
 - SEFSC are working on integrating EFH considerations into the CVA
 - Would EFH designations change with changes in physical and chemical conditions,
 - Will species distribution change and on what timescale
 - How would changes in EFH distribution affect vulnerable
 - The technical memo is here: https://safmc.net/documents/habecoap_a2e_climate-vulnerability-assessment-for-the-sa-region-202310-pdf/

Member Comments and Recommendations:

- Include a clarification of what mangroves means and include buttonwoods under the EFH designation in the user guide.
- Include the table from the tidal freshwater boundary presentation into the user guide.
 - The table includes GPS coordinates for upstream tidal boundaries which will establish an upper boundary baseline that can be revised as needed.

SECAS and the Conservation Blueprint

Rua Mordecai from USFWS/SECAS provided an overview of the [Southeast Conservation Adaptation Strategy](#) (SECAS) and the [Conservation Blueprint](#).

- Received a summary of the blueprint and the partnerships.
- They have integrated 18 new indicators and 40% of suggestions from the Gulf and Caribbean workshops into the blueprint.
- They have a new web-based platform that they are working on making interactive hoping to provide a visual aid when discussing habitat and temporal shifts:

Member Comments and Recommendations:

- This will be helpful for looking at waterflow and habitat and temporal shifts.

Offshore Wind Activities in South Atlantic Region

Brian Hooker gave an update on the Bureau of Ocean Energy Management (BOEM) Research and Energy development activities.

- Coastal Virginia offshore wind project
 - The project was approved via the NEPA process and record of decision (ROD) has been submitted.
- Central Atlantic wind energy areas
 - BOEM looked for additional wind energy areas for their report that was issued in July.
 - The proposed sale notice is being developed.
- Kitty Hawk Wind Project
 - The notice of intent for the North and South section has been issued.
 - Draft EIS is being worked on.
 - Construction is scheduled to begin in 2026.
 - To keep track of the permit please refer to the dashboard: www.permits.performance.gov
- Carolina Long Bay Project
 - They are finishing surveys for potential locations and creating site assessments.
 - They are planning to deploy buoys for wind speed testing in summer 2024.
- Reviewed Environmental studies annual report.
 - Identifying effectiveness of nature inclusive design materials study
 - Hydrodynamic modeling report released –
 - It was difficult to separate windfarm impacts from climate change and other influences.
 - Planning windfarms requires further study.

Member Comments and Recommendations:

- The panel expressed concerns about EFH movement into the windfarm locations and wanted to know what happens after these projects are decommissioned. They encouraged researching either use of materials that discourage bioaccumulation for short term projects or using nature inclusive materials for longer term projects.
- There are acoustic receivers being used on some of these projects. The panel wanted to know if the data are made public or are they proprietary. The data will eventually be shared but it may not be timely.
- There are concerns about the cable routes for the Kitty Hawk Project. These areas are included in the project as alternatives but would need mapping information and an EFH consultation to be made viable.
- For the Central Atlantic Project there was concern that areas that have been deferred are still on the map. They were included in the record and will not be used unless necessary.
- The panel debated whether wind is a public trust resource. This should be discussed further at the next meeting.

EFH Policy Statement on Energy

At the March 2023 meeting, the Council directed the panel to update and refine the EFH Policy Statement on Energy Exploration and Development. Paula Keener, Policy Workgroup Chair provided an update on the development process and timing. The workgroup met in May and November of 2023 and developed an overall approach.

Member Comments and Recommendations:

- Planning on completing a draft of the new policy by the April 2024 Habitat AP meeting.
- The panel recommends including offshore wind development in the energy policy and move it to the forefront of the policy.

US Navy Atlantic Fleet Training and Testing (AFTT) Environmental Impact Statement (EIS)

Laura Busch gave an overview of the Atlantic Fleet Training and Testing EIS.

- The Navy's compliance program evaluates the impacts of military readiness activities on the environment and minimizes effects on protected resources while supporting military readiness.
- Notice of intent to continue training and testing activities in the AFTT Study Area for the reasonably foreseeable future was published Nov 17th.
- The goal is to analyze training stressors i.e., acoustic effects and develop a document analyzing the environmental impact.
- The mitigation measures employed to minimize the impact of training will continue to be employed.
- The final record of decision on the AFTT Study area is scheduled to occur Oct 3, 2025.

Member Comments and Recommendations:

- Panel members questioned debris and plastic impacts from Navy ships.
- The panel was interested in the pile driving experiment on sturgeon and recommended looking at pressure wave impacts as well as sound.

SAFMC Habitat Blueprint

Roger Pugliese gave an overview of Habitat Blueprint and Habitat Ecosystem AP Job Description that the SAFMC approved in September. Kathleen Howington reviewed the work plan and introduced the draft outline for the annual report.

- The Blueprint clarifies the habitat and ecosystem panel tasks and membership.
- It also further clarifies the advisory panel background and new membership structure.
- Reviewed planned activities for 2024 and asked for feedback on plans for 2024 as well as long term goals for the future.
- Reviewed the annual report outline and obtained AP feedback.

Member Comments and Recommendations:

- The panel expressed gratitude at the forethought in the Blueprint and the workplan.
- They recommended long-term and short-term goals for the workplan.
- The panel added future habitat concerns and outreach to the draft outline. They also recommended specific subjects to be included in the annual outline for 2024, for example, including SASMI and SECAS under projects of interest.

Update on the South Atlantic Salt Marsh Initiative (SASMI)

Simen Kaalstad from ASMFC gave an update on the SA Marsh Initiative.

- SA coast SASMI project is voluntary.
- The goal is to protect, restore, and enhance abundance and biodiversity of salt marshes.
- They are working on implementation over the next ten years.
- The project is focused on marsh restoration and improving fish habitat.
- They are trying to integrate climate change and how management strategies need to adapt accordingly.

Member Comments and Recommendations:

- Right now, the mapping of the saltmarsh regions of focus is state specific.
- There is a network of people who have combined resources and resources are being dedicated to creating a region wide map.

Space Operations off East Florida

Dale Ketcham from Space Florida gave a presentation on space operations off East Florida.

- The space industry is increasingly interacting with commercial fishermen because of debris which ends up in nets, and closures due to launches and rocket failures.
- This year almost 90 launches have occurred, and they are increasing in number.
- Managing the air and sea space is an increasing challenge.
- 85% of launches are commercial.
- The FAA does not give consideration of commercial launches to ocean debris and where it lands nor is there any regulatory awareness of EFH impacts.
- The Indian River Lagoon is a concern there are many environmental impacts from space operations including debris and run off as a result of increased development due to space operations.

Member Comments and Recommendations:

- The percentage of debris in the ocean and its components is unknown.
- The trend is moving toward reusable products, but the debris will increase with deorbiting.
- The Coast Guard has information and a FOIA request was submitted by SAFMC staff to request the amount of activity impacting fisheries in the last 10 years.
- Space Florida is helping develop a wastewater treatment plant to support mainland needs, remove the need for septic tanks, and accommodate growth.
- The panel is concerned about whether space operations in Florida (or other coastal space ports) will change or amplify in response to the Supreme Court's decision to deregulate wetlands (Sackett vs. EPA)?
 - Panel requests adding Sackett vs EPA into a future agenda.
- As launches increase the closed area could become essentially a closed fishery. If there is an environmental impact then you need an EIS and the applicant needs to be responsible for negative impacts i.e., microplastics, large debris, breaking equipment.
- The panel expressed concerns over debris, type location, depth. Most of the debris is falling in very deep water in the Pacific and the materials the debris is made of are unknown. Most of this is falling outside of U.S. waters.
 - The panel discussed drafting a space policy and did not want to begin work until the Coast Guard FOIA was received. This will be added to future discussions.
 - If the statement is drafted it needs to speak to the global scale of the issue.
 - If other space ports become established, then they may cause an increase in Intracoastal waterway traffic and fishermen could be significantly impacted.

Other business:

- The next meeting is scheduled for April 22- 24, 2024. This will be finalized after the December Council meeting.
- Vice chair election:
 - Paul Medders was elected Vice-Chair.
- Meg Withers, the Citizen Science Project coordinator for the SAFMC requested volunteers for the Citizen Science Project Committee.
 - Casey Knight volunteered for this position.