



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Habitat and Ecosystem Advisory Panel Agenda

Stacie Crowe, Chair | Paul Medders, Vice Chair

Crowne Plaza Charleston Airport, 4831 Tanger Outlet Blvd, North Charleston, SC 29418

April 24-25, 2024

Other than the starting and ending times of the meeting, times indicated on the agenda are approximate, and the order of business may be adjusted as necessary to accommodate the completion of agenda items. Interested parties should be aware that discussions may start earlier or later than indicated.

Public comment will be solicited at the beginning and at the end of the meeting. Those wishing to comment should indicate such in the manner requested by the Chair, who will recognize individuals to provide comment in-person or on the webinar.

During the Habitat AP meeting on April 24th, there will be a FISHstory Photo Scanning Event. If you have historic fishing photos from the 1940s-1980s in the South Atlantic - please bring them to the AP and share them with the FISHstory project!

More details on the scanning event are available [HERE](#).

Monday, April 22, 2024, 1 pm – 5 pm

Welcome and Introductions

Approval of Agenda – Stacie Crowe, AP Chair

Approval of November 2023 AP Transcript – Stacie Crowe

Habitat and Ecosystem Committee Chair Remarks – Trish Murphey

1. Essential Fish Habitat (EFH) 5-Year Review (*Attachments 1*)

- a. Limited FEP II Verbal Update (Prey and References) Subcommittee Report - Wilson Laney
- b. Buttonwood Clarification Subcommittee - Simen Kaalstad, ASMFC - completed
- c. Tidal Freshwater Boundary Subcommittee - Casey Knight, NCDMF - completed
- d. Panel Member Discussion and Recommendations – Stacie Crowe

2. EFH Policy Statement on Energy (*Attachment 2a and 2b*)

- a. Update on Development Timeline and Process – Paula Keener, WG Chair
- b. Review Draft Updated Policy – Paula Keener
- c. Member Review of Policy Updates, Discussion and Recommendations – Stacie Crowe

3. Long term Impacts of wind farms and windfarm removal (*Attachments 3a and 3b*)

- a. Long term Wind Farm effects on Habitat – Lela Schlenker and Nathan Craig (Avangrid and Duke Energy)
- b. Current decommissioning methods for the South Atlantic – Seth Theuerkauf (Bureau of Ocean Energy Management - BOEM)
- c. Panel Member Discussion and Recommendations – Stacie Crowe

Tuesday, April 23, 2024, 9 am – 5 pm

4. NOAA Fisheries HCD EFH Consultation- Annual Summary (*Attachment 4*)

- a. SE Consultation Year End Summary – Pace Wilber, NOAA Fisheries HCD
- b. Panel Member Discussion and Recommendations – Stacie Crowe

5. Annual Activities Report (*Attachments 5a and 5b*)

- a. Review of outline
- b. Discuss topics for inclusion
- c. Draft report wording for submission to the June Council meeting

6. Revisions to the Alterations to Riverine, Estuarine and Nearshore Flows Policy to address threats to the Indian River Lagoon (*Attachments 6a and 6b*)

- a. Indian River Lagoon History and Concerns - Daniel Kolodny (Indian River Lagoon Council)
- b. Panel Member Discussion and Recommendations – Stacie Crowe

7. Sackett vs EPA impacts on wetlands (*Attachments 7a and 7b*)

- a. Overview of Sacket Versus EPA and potential impacts on wetland protection– Sheperd Grimes
- b. Panel Member Discussion and Recommendations – Stacie Crowe

Wednesday, April 24, 2024, 9 am – 1 pm

8. Coral 10 update – Kathleen Howington (*Attachment 8*)

9. Citizen Science Update – Julia Byrd (*Attachment 9*)

10. SAFMC Habitat Blueprint – Kathleen Howington (*Attachments 10a and 10b*)

- a. Habitat Website: Review Progress on the Habitat website
 - i. Group Photo
- b. Policy considerations and priorities
- c. User guide discussion
- d. Next 5-year review: Long term Goals
- e. Review Workplan
- f. Meeting Dates and Methods discussion
- g. Panel Member Discussion and Recommendations – Stacie Crowe

11. Other Business

Public Comment

Adjourn

Attachments:

Attachment 1: EFH User Guide

Attachment 2a: EFH Policy Statement on Energy

Attachment 2b: Summary of Updates to the Energy Policy Presentation

Attachment 3a: Windfarm Impacts and Decommissioning Presentation

Attachment 3b: Current South Atlantic Decommissioning Procedures Presentation

Attachment 4: NOAA EFH Consultation Update Presentation

Attachment 5a: Annual Activities Report Presentation

Attachment 5b: Annual Activities Report Draft

Attachment 6a: Indian River Lagoon History and Concerns Presentation

Attachment 6b: Riverine, Estuarine and Nearshore Flows Policy

Attachment 7a: Summary of Sackett vs EPA Lawsuit Implications Presentation

Attachment 7b: Sackett Versus EPA Lawsuit

Attachment 8: Coral 10 Resubmission Update Presentation

Attachment 9: SAFMC Citizen Science Program Update Presentation

Attachment 10a: Habitat Blueprint Update Presentation

Attachment 10b: Habitat and Ecosystem AP Workplan

OVERVIEW

Habitat and Ecosystem Advisory Panel

The Advisory Panel will approve the minutes of November 2023 and agenda for the current meeting. Trish Murphey, NCDMF, Chair of the Habitat and Ecosystem Committee, will make opening remarks (Final November 2023 Committee Report included in briefing material).

1. NOAA Fisheries EFH 5 Year Review (*Attachments 1*)

Description: Stacie Crowe, AP Chair, will recap the EFH 5-year review process and progress to date. The Subcommittee formed at the May 2023 meeting to support the EFH Review for the Limited FEP II update (Prey and References) will report out. The Buttonwood Clarification Subcommittee and the Tidal Freshwater Boundary Subcommittee recommendations were received during the November 2023 meeting and approved by the Council in December 2023. The recommended edits were incorporated into the EFH User Guide. Kathleen will review the edits made to the EFH User Guide.

AP Action: Provide input on the Subcommittee report supporting the EFH review. Provide input on the edits made to the EFH User Guide if necessary.

SAFMC EFH 5 Year Review – Subcommittees (May 2023)

Buttonwood Clarification Subcommittee

- Simen Kaalstad, Chair
- Rene Baumstark
- David Webb

Limited FEP II Update (Prey and References) Subcommittee

- Wilson Laney, Chair
- Kevin Spanik
- Laurent Cherubin

Tidal Freshwater Boundary Subcommittee

- Casey Knight, Chair
- Anne Deaton
- Stacie Crowe
- Rene Baumstark
- Wilson Laney
- Paul Medders
- Sam Young

2. EFH Policy Statement on Energy (*Attachment 2a and 2b*)

Description: Paula Keener, Energy Policy Workgroup Chair, will highlight the activities of the Workgroup and review the draft Energy Policy update, which refines the core policy addressing primarily oil and gas exploration and develops a new section highlighting renewable energy and offshore wind development.

AP Action: Provide recommendations if needed to further update the policy to prepare for Council approval.

3. Long term Impacts of wind farms and windfarm removal (*Attachments 3a and 3b*)

Description: Lela Schlenker and Nathan Craig will provide a description of the Long Bay and Carolina wind farm project including material usage, timelines, and general descriptions about decommissioning. Seth Theuerkauf (BOEM) will review the current decommissioning guidelines and procedures for the South Atlantic.

AP Action: Discuss the long-term effects of wind farms on the surrounding habitat in the South Atlantic.

4. NOAA Fisheries HCD EFH Consultation Update (*Attachment 4*)

Description: Pace Wilber, NOAA Fisheries HCD, will provide a review of Southeast EFH Consultation activities conducted in 2023. This will provide AP members and the Council with a view of HCD activities as specified in the recently approved Habitat Blueprint and a view of significant developing issues in the region of interest to the Council.

AP Action: Comment on which areas may be a priority requiring additional engagement or possible input or guidance from the Council.

5. Annual Activities Report (*Attachments 5a and 5b*)

Description: In September 2023 the SAFMC approved the Habitat Blueprint. The Blueprint stated that “the HEAP will provide the Council an annual report addressing habitat activities, including consultations, comment letters, future threats, research needs, and use of habitat policies during the prior Calendar year. The report is intended to provide a mechanism for keeping the Council informed of habitat activities throughout the region, highlighting the use of habitat policies, and providing advance notice of developing issues. The report will be finalized by the HEAP at its Spring meeting and presented to the Council at the next scheduled Habitat Committee meeting. The report should rely heavily on tables, texts and bulleted lists to convey the relevant information efficiently.” The Habitat and Ecosystem AP developed a draft outline for this report which was approved by the Council December of 2023. The report will be submitted to the Council annually at the June meeting. Request for information for this report was sent out in February 2024 to produce a workable draft prior to the AP meeting. The suggested topics for inclusion have been integrated into the draft document.

AP Action: Review the draft document. Provide feedback, tables, and images on the outline, approve wording, and finalize the annual report content as much as possible.

6. Discuss revisions to the “Alterations to Riverine, Estuarine and Nearshore Flows” policy to address threats to the Indian River Lagoon (*Attachments 6a and 6b*)

Description: Daniel Kolodny will give a general description of the Indian River Lagoon and the issues that are affecting its habitat health.

AP Action: Discuss the ramifications on the declining habitat health of the Indian River Lagoon and potential modifications to the River Flow policy to address these issues.

7. Sackett vs EPA impacts on wetlands (*Attachments 7a and 7b*)

Description: Sheperd Grimes, NOAA General Counsel, will review the lawsuit and the potential impacts on wetland protections in the South Atlantic.

AP Action: Discuss the ramifications of the lawsuit in the South Atlantic and any recommendations to the Council.

8. Amendment Coral 10 resubmission (*Attachment 8*)

Description: Kathleen Howington will give an update on the Coral 10 resubmission process.

AP Action: No Action

9. Citizen Science Program Update (*Attachment 9*)

Description: Julia Byrd will provide an update on Citizen Science Program activities. Updates will be given on projects underway, Citizen Science advisory groups, the Program's Project Idea Portal, and the SciFish platform, a mobile app and project builder to support the capture and sharing of data on Atlantic coast fisheries. Additionally, on April 24th, staff will hold a FISHstory Scanning Event to gather historic fishing photos for the FISHstory project.

AP Action: Identify AP members interested in serving on the Citizen Science Projects Advisory Committee.

10. SAFMC Habitat Blueprint (*Attachments 10a and 10b*)

Description: The SAFMC transitioned to the new website in 2021, however the Habitat webpage had not been updated and habitat information had not been fully incorporated. Kathleen Howington will review the progress on the updated webpage for the Habitat Program and a group photo will be taken to incorporate into the Habitat AP page. Kathleen will also review the Blueprint goals and objectives, the current policies, the EFH User Guide goals, the next EFH five-year review, and the Habitat Workplan. The panel will discuss the next meeting dates and methods.

AP Action: Provide feedback on the website development, current policy procedure, the use of the EFH user guide, the next EFH five-year review, and the long and short term workplan goals.

Other Business

Public Comment

Adjourn