



## THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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# Habitat and Ecosystem Advisory Panel Meeting Summary

Stacie Crowe, Chair | Paul Medders, Vice Chair

Hilton Garden Inn Charleston Airport & Convention Center 5625 International Blvd, North Charleston, SC 29418

October 28 - 30, 2024

The South Atlantic Fishery Management Council's (Council) Habitat and Ecosystem Advisory Panel (AP) convened in Charleston, SC from October 28-30, 2024.

The AP approved minutes from the April 2024 meeting after correcting a panel member's name had been misspelled. The AP also approved the agenda for the October 2024 meeting after adding one item to other business.

There was no public comment given during the public comment session at the beginning or end of the meeting. No written comments were submitted.

### 1. NOAA Fisheries EFH 5 Year Review (*Attachments 1a, 1b, 1c*)

**Description:** The Subcommittee formed during the May 2023 meeting to support the EFH Review for the Food Web Policy (Prey and References) reported out. Wilson Laney summarized the work group attendance and goals. Council staff reviewed edits to the policy which included updated figures and references. Then the panel provided edits.

#### **SAFMC EFH 5 Year Review – Subcommittee members (May 2023)**

#### Limited FEP II Update (Prey and References) Subcommittee

- Wilson Laney, Chair
- Kevin Spanik
- Laurent Cherubin

- Honorary members: Chip Collier and Lauren Gentry

After, Council staff reviewed the next EFH five-year review goals and asked for panel feedback on how to integrate the abundance of species and more life cycle information into the EFH user guide.

**AP Discussion:**

**Food web policy updates**

- The panel was interested in the differences between the 2016 food web and the updated one.
  - This model has 140 groups versus 30 and fishing fleets have been integrated. Otherwise, it's very similar.
  - This model can show fishing is occurring at multiple trophic levels.
- The percentage tables in appendix A were discussed.
  - The end goal of these tables will be to analyze each FMP to identify specific diets for species and outliers.
  - The panel suggested that an upcoming update on the Dolphinfish diet could be of interest in the 5-year review.
- They recommended not losing the significance of specific prey and species relationships (i.e., mackerel and dolphin.)

**Next EFH five-year review**

- The panel recommended looking at other councils' EFH definition for example the Mid Atlantic is currently undergoing an update. As well as trying to integrate the products of the numerous ongoing CEFI and IRA projects.
- Specifically for abundance information, the panel suggested looking into FWC fishery independent projects in St Johns River and the Indian River Lagoon, graduate studies, Pamlico Sound surveys, and monitoring for SMZs and HAPCs.
  - The panel discussed trying to use Navy acoustic information however, using that for abundance information is not possible.
- For life stage information the SCDNR ichthyoplankton survey, North Inlet ecological study, Beaufort bridge net, ichthyo-migration into inlets information.
  - The panel also suggested adding in climate change information for the different life stages.
- Council staff suggested that the panel gather information for the next meeting when working groups focused on these conversations will be established.

**AP Action:** Provide input on the Subcommittee report supporting the EFH review. Provide input on the five-year review goals.

- **Food Web policy.**
  - **Add in a note that the percentages are based on adult fish diets**
    - **This varies from species to species, but the description will be added.**
  - **Fish management is misspelled in the first paragraph.**
  - **We need to update the date.**
  - **Can we add in total diet percentage for tables in appendix A?**
    - **Yes**

- **Add in a Recommendation to the council to request a NOAA integrated ecosystem assessment.**
- **Add in establishing working groups for EFH five-year review abundance and life stage to the workplan.**

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

**Description:** Council staff highlighted the activities of the workgroup and reviewed 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 Discussion**

- The panel approved updates from the April meeting.
- The panel wanted to add an additional recommendation to ensure that sand bottom habitat in undeveloped areas (away from the foundation footprint) is being researched and establish monitoring for comparison to the developed footprint in the long term.
- The goal is to have an equivalent modeling and monitoring approach.
- This comparison will be used to create a baseline for comparison when the decommissioning occurs,
- This project would be for the lifetime of the wind farm.

**AP Action: Recommend the policy for submission to the Council with the following addition: “Recommend that during permitting negotiations between the developer, BOEM, and NOAA Fisheries, ensure the inclusion of appropriate and equivalent funding for long term monitoring (throughout the life span of the wind farm) of the surrounding substrates in addition to the developed structures. Equal contemporary study and analyses of both ecological regimes will provide future policymakers with more adequate, balanced information to determine the appropriate final disposition of the decommissioned infrastructure and a better assessment of both ecological and sociological benefits and costs.”**

## 3. **Review of Upcoming projects that require EFH consultations (*Attachment 3*)**

**Description:** Kathleen Howington and Jordan Wolfe, Habitat Conservation Division, reviewed the multiple complex project types that the Habitat and Conservation Division foresees reviewing more of in the future. These projects include Living Shorelines Beneficial Use of Dredged Material, Shoreline Stabilization, Thin Layer Placement, Tide Gates in Salt Marsh Habitat, and projects for Managing Flood Risk from tides, sea level rise, stormwater, & storm surge.

### **AP Discussion:**

- **Living Shorelines**
  - There are numerous definitions throughout the Atlantic.

- South Carolina just developed a new definition, and North Carolina has some good wording that should be integrated into our definition.
- The definition should be vague so it can apply to all four states who all have different definitions and requirements for materials.
- There is a general nationwide permit for living on shorelines.
- The definition needs to ensure that there is a green benefit for these projects.
- **Beneficial use projects.**
  - These projects are meant to involve the positive use of dredged materials. The Corps is hoping to increase these types of projects by 70%.
  - There are not a lot of pilot studies, known research, or information on the short- or long-term impacts on these projects,
  - These projects need monitoring but that requires resources.
  - Beneficial use projects should only use dredge material that matches the locations grain size and coarseness.
  - The main problem is that there is not a supportive knowledge base for these projects' impacts or of which locations would be the most beneficial.
  - Jordy asked if the panel had any suggestions.
    - There was an NCCOS layer placement project, and a Jekyll Island thin layer placement project may have some information.
    - Additionally, the panel suggested the group names restoring our nation's fisheries, SASMI, UGA tech and the estuarine marine research group.
    - SC SEA Grant is doing a desktop analysis that could be informative.
  - The panel also suggested looking at residential canals, basin scales and flood risk areas to try and identify areas suited for beneficial use projects.
  - During the next meeting we should request Molly Bosts presentation on this as well as ask each state representative to provide what their state requirements are.
- **Flood projects**
  - Tide gates have a low acreage impact but impede water flow to inland areas even if they stay open most of the time.
  - Monitoring plans are not occurring, and mitigation is not required.
  - HCD foresees tide gate requests quadrupling in the next year.
  - More information on tide gate impacts is needed to provide a thorough consultation and the inland impact of these projects should be included in the impact analysis.
  - Tide gates were a coastal resiliency tool but now they are being removed due to long term negative impacts. However, with increased flooding and climate change the human component is causing an increase in the number of tide gate requests.
  - Perhaps a living shoreline or beneficial use project would be better than tide gates?

**AP Action:** Discuss possible recommendations for the Council. Provide feedback on where the Council could be involved in EFH consultations.

- The AP recommends that the council adopt this definition when discussing living shorelines:
  - **SAFMC Living Shorelines Recommended Definition:**
    - A living shoreline is a coastal management approach that stabilizes and protects the shoreline using a suite of options that promote the use of natural materials, such as native plants, sand, rocks, and oyster shells. The details of material usage and percentage of material type are determined by state management bodies.
    - Unlike traditional hard structures such as seawalls, living shorelines should maintain the natural connections between upland, intertidal, and aquatic environments.
    - This approach not only minimizes erosion and aims to reduce wave energy but also provides valuable wildlife habitat, maintains or improves water quality, and supports ecological resilience.
    - Living shorelines should be designed to spontaneously grow and adapt over time, making them a dynamic, nature-based solution for coastal protection and management.
- When presenting the Habitat and ecosystem AP report the nationwide permit fifty-four definition of living shorelines should also be presented as an alternative example.
- HEAP will maintain tracking these consults. If HCD observes a consult that is concerning the AP member will raise it at future meetings.
- Beneficial use project: Add a time slot on this to the working plan. request a presentation from Molly Bost and gather information to create a support system for consultations.
- The HEAP will continue to monitor tide gates and flood projects and will add in recommendations on these projects to the flow policy.
- HCD projects with public notice will be forwarded to the HEAP, can provide some old comment letters too.

**4. Revision of Alterations to Riverine, Estuarine and Nearshore Flows policy to address impacts from freshwater discharges and impediments to river flow (*Attachments 4a and 4b*)**

**Description:** In April 2024, Daniel Kolodny from the Indian River Lagoon Council gave a general description of the Indian River Lagoon and the issues that are affecting its habitat health. The HEAP recommended to the Council, and the Council approved, a revision to the Alterations to Riverine, Estuarine and Nearshore Flows Policy to address impacts of freshwater discharge and impediments to river flow.

**AP Discussion:** The panel recommends including ecological flows and river flows, storm surge, flood projects, tide gates storm a wall into the flow policy updates.

**AP Action:** Discuss revisions to the Policy to address these issues. Establish a working group to work on the revisions.

- **Work group volunteers:** Wilson Laney, Stacie Crowe, David Web, Jordy Wolfe, Matthew Kenworthy,

## 5. Offshore wind infrastructure coverage and artificial reef footprint (*Attachment 5*)

**Description:** Brendan Runde and Avery Paxton (SEFSC) summarized their offshore wind project and artificial reef footprint findings. The goal was to determine what the future footprint of wind infrastructure could be looking like in other areas. The footprint was defined by the maximum buildout scenario and with the structure on the seafloor and in the water column. They found that the NE offshore wind footprint is much larger than that of artificial reefs. The Southeast and Gulf of Mexico have higher artificial reef footprints than wind based on current construction plans. Currently the leased area for offshore wind is two times greater than that of artificial reefs which highlights the need to understand offshore wind infrastructure impacts.

### **AP Discussion:**

- The panel was interested in the types of habitats that would be displaced by the offshore wind infrastructure.
- These were mostly sand, which could impact habitat connectivity.
- Sand is an important ecosystem not just for migratory species but for invertebrates and sand dwelling species.
- These structures are not just adding hard substrate at the base in the scour area but also through the water column and parts of the transmission lines.
- What is the impact of changing so much sand habitat to hard structure?
- For example, what happens with invasive species in ballast water that would normally be released onto sand but suddenly have a hard substrate to land on.
- Also, wind farms must be decommissioned artificial reefs don't.
- How do you determine what a habitat should look like after decommissioning? Is there a comparison study?
- Could we compare artificial reef impacts and draw conclusions as to what the impacts of wind farms will be?
- Also, what impacts are occurring outside of the water column?
  - There are some studies on the impacts of birds that include cameras and bird IDs, but these have been done for terrestrial wind farms not the open ocean.
- The issue is that we are only looking at the structural footprint not the functional footprint, and the functional footprint is more difficult to define.
- Installing these structures could impact migratory species in the long term.
- There will be many species that use the scour material for cover, foraging habitat, and some will use it for breeding.
- It would be interesting for someone to analyze the whole suite of species and the types of use for the hard material. Then determine the value of the structure based on use.

- If a corridor is known, it is being avoided as best as possible, but construction may not be able to avoid causing disruptions.
- This is the basis of assessments that are conducted over a two-year period.
- Are there any studies over a longer period that are studying what changes would be happening to the developed areas, for example range expansion of new species.
- Could we use something like an Ecosystem (EIS) study.
  - The southeast does not have one. It would be nice if we could have a recommendation from the council requesting one.

**AP Action:**

- **Add in a recommendation in the Energy policy.**
- **Recommend that the council request an EIS study.**

**6. Army Corps of Engineers Project for Reefs (*Attachment 6*)**

**Description:** Kevin Spanik summarized the report provided by the Army Corps of Engineers and SCDNR on Post 45 Mitigation Reef Monitoring. There was a large undertaking to deepen the water ways in Charleston harbor. They used diver surveys transects and baited camera frames. The results showed greater diversity at the mitigation reef than impact sites. They found more fish species on mitigation reef compared to the impact site so the reef was considered successful.

**AP Discussion:**

- The panel discussed that the available data to compare the mitigation reef came from the Cordy study of the area.
- The cameras were used to ensure that the diver's presence did not change the behavior of the fish.
- They did look at the beneficial reefs a little bit in the paper but not as much as the mitigation reef.

**AP Action:** No Action

**7. Fishing Effects Database and App (*Attachment 7*)**

**Description:** Dr. David Stevenson (MAFMC) gave a summary of the Mid Atlantic Fishery Management Council Fishing Effects Database and how to use the app.

**AP Discussion:** none

**AP Action:** Provide feedback on the data included in the database and recommend sources of information to fill data gaps.

- There is a submission button on the webpage if you find a relevant document, please submit it through the app itself.

**8. SAFMC Habitat Blueprint (*Attachments 8a and 8b*)**

**Description:** Kathleen Howington reviewed progress on the webpage for the Habitat Program. The panel will review the tools and partners for the Habitat program and provide feedback on outreach/communication plans.

**AP Discussion:**

- For the website can we add in the partner links i.e., SECAS blueprint, commission fish habitats of concern ASMFC, etc.
- **For outreach**
  - What are the public concerns:
  - Maybe plastics?
  - Could we do a citizen science project about it? There is one through the SC aquarium. We could link that to the website too.
  - The public is also concerned about climate change. The council is producing a climate change webpage, but it would be nice to have an updated CVA.
  - In the future we could do something about king tides and flooding or sargassum?
  - Lastly, we should investigate something about range expansion and changing management responsibilities.
  - If we did make a video Simen could edit it. We could discuss water quality or fish contaminants?

**AP Action:** Identify any additional partners the HEAP should establish a communication pathway with. Identify current methods for communicating habitat information to the public. Discuss future communication goals and methods.

- **Partners: We also have FWC, USFWS, East Coast SAV collaborative and TNC as partners. We should establish a communication pathway with SASMI, maybe through Amanda Gobeli.**
- **Outreach:**
  - **The panel was interested in drafting an FAQ. We should look at FAQs of other councils. We could define what is EFH, what does this mean for a public audience, what is the habitat AP role, and define HAPCs. All these definitions should be basic for the public and should tie back to SAFMC regulations.**
  - **Water quality is another known public awareness issue. Maybe after we update the flow policy, we could do a social media post addressing the top five takeaways of the update.**

## 9. Review Workplan

**Description:** The Panel will discuss the short- and long-term goals for the HEAP.

**AP Discussion:** We should add in the beneficial use projects, CEFI, IRA, SEA optic cables, and a CVOW fish death update to the plan.

**AP Action:** Approve the revised work plan for submission to the Council.



## 10. Meeting Dates and Methods discussion

**Description:** The panel will discuss the next meeting dates and methods.

**AP Discussion:**

- October and April are busy and getting busier, if we could move to a winter/summer meeting schedule that may help the council workload.
- We could also move to a one webinar and one in person schedule.
  - The panel was not interested in long webinars.

**AP Action: Decide on the next meeting date and make a recommendation for the future of the HEAP meeting methods and dates.**

- **The Panel prefers two in person meetings in the winter and summer. Preferably late January/early February and Mid July-mid-august.**
- **The AP will skip the spring 2025 meeting and meet in the summer of 2025 and then the winter of 2026.**

**Other Business:**

Lara Klibansky (SAFMC Climate change project coordinator) and Holden Harris (SEFSC CEFI staff member) introduced themselves and requested that time be permitted in the summer meeting for them to present their projects to the HEAP. **The AP agreed to add them to the work plan.**

**Adjourn**