

FINAL
SUMMARY REPORT
HABITAT AND ECOSYSTEM COMMITTEE
Beaufort, NC
December 7, 2023

The Committee approved minutes from the September 2023 meeting and the agenda.

Habitat and Ecosystem Advisory Panel Report

Paul Medders, GADNR (AP Vice Chair) reviewed the November 2023 Habitat and Ecosystem Advisory Panel Report. The Council was interested in the suggestion to use nature inclusive design materials for long-term wind projects. This topic is in the beginning stages for the Habitat and Ecosystem Advisory Panel (HEAP) and there will be follow-up discussions.

EFH 5 Year Review Update: Process and AP Subcommittees

Council staff provided an update on the EFH 5-Year Review process, discussed the report from the [National Fish Habitat Summit](#) held in 2017 focusing on what a 5-year review of EFH should entail, and whether the Council's plan for the EFH review is meeting that goal. The Committee discussed the EFH review and wanted clarification on the ramifications of the recommendations of the Tidal Boundary Working Group. Their recommendation will clarify the boundaries of where the EFH consultations are needed.

SAFMC Habitat Blueprint

Council staff reviewed a draft workplan for 2024-2029 HEAP activities and requested feedback on Council priorities. The Committee asked for clarification for what the website transition would entail. Staff clarified that it would involve organizing and streamlining the habitat webpages and links to tools from the old SAFMC website. The Committee suggested postponing discussions on impacts from space activities, living shorelines, and tide gates to Fall 2024. The loss of artificial reefs conversation needs to involve the role of artificial reefs not only as EFH, but also as features that aggregate fish, and implications to fishing mortality. The Committee recommended adding identification of locations of high species abundance to refine EFH designations in each FMP (potentially refining EFH designations to the tier above presence/absence) and added this item to the "Other Activities" section of the workplan.

Staff also reviewed an outline for the annual report meant to address habitat activities during the prior calendar year, as outlined in the Habitat Blueprint, and asked for feedback on the content of the outline. Regarding determining which policies were being used for consultations in a given year, the Committee stated that it was important to reach out to state agencies as well as NMFS Habitat Conservation Division. The report will include which policies were used, their usefulness, and where do updates need to be focused. Lastly, the Committee recommended changing the outline wording from "Potential future or developing habitat threats" to "Potential future or developing habitat issues/threats" as some of the items listed are not necessarily threats

DIRECTION TO STAFF: ADJUST THE WORKPLAN AND ANNUAL REPORT OUTLINE TO REFLECT THE ABOVE RECOMMENDATIONS.

Coral Management

Council staff provided a general overview of how recent modeling work (presented to the SSC in April 2023), could be used for management. The Committee discussed potential management actions resulting from deepwater coral modeling work and stated they would recommend consideration of its use to modify existing deepwater Coral Habitat Areas of Particular Concern (CHAPC) or establish a new deep water CHAPC. This would involve a potential plan amendment and would take at least a year to develop.

Additionally, staff reviewed the action proposed in Coral Amendment 10 and the reason for its disapproval in July, 2022 ([disapproval letter](#)). A [presentation from the SEFSC](#) was provided to the Council in September 2022 summarizing the results of a survey of the proposed Shrimp Fishery Access Area in Coral Amendment 10. In September 2022 the Council moved to resubmit Coral 10 with modifications, but no timeline had been specified. Staff then requested guidance from the Committee on when the amendment should be resubmitted. The Committee supported resubmitting the amendment with modifications including stronger justification on impacts of EFH, details on how the amendment aligns with the coral and shrimp FMP objectives, and a bycatch practicability analysis. The Council will discuss where this work may fit in with their workplan priorities during Full Council. The Committee recommended prioritizing re-submission of Coral Amendment 10 over initiating work on an amendment to address deepwater CHAPCs.

GUIDANCE TO STAFF:

- ADD DEEPWATER CORAL HAPCS AMENDMENT TO THE WORK PLAN,
- RECONVENE THE CORAL 10 IPT TO REVIEW WHAT IS NEEDED FOR AMENDMENT RESUBMISSION. PRESENT THE FINDINGS OF THE IPT AT A FUTURE COUNCIL MEETING.
- PRIORITIZE CORAL 10 OVER MODIFICATIONS TO CHAPCS IN THE WORKPLAN.

Agenda Items for Habitat Protection and Ecosystem Based Management Advisory Panel Meeting

Council staff reviewed a draft list of potential agenda items noted below to be covered during the spring Habitat and Ecosystem AP meeting:

- Review progress on the EFH 5 year review
- Review progress on inclusion of wind energy in the [Energy Exploration, Development, Transportation and Hydropower Re-Licensing](#) policy
- Prepare an Annual Habitat Activities Report for the Council's June 2024 meeting
- Review Progress on the Habitat website pages.
- Citizen Science Update: SciFish and Online Project Portal
- Discuss the impact of the loss of artificial reefs
- Discuss revisions to the [Alterations to Riverine, Estuarine and Nearshore Flows](#) policy to address Indian River Lagoon issues.
- Sackett vs EPA impacts on wetlands

MOTION #1: APPROVE LIST OF AGENDA ITEMS FOR APRIL 2024 HABITAT AND ECOSYSTEM AP MEETING

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Other Business

None

Note: Council staff drafts the timing and task motion based on Committee action. If points require clarification, they will be added to the draft motion. The Committee should review this wording carefully to be sure it accurately reflects their intent prior to making the motion.

Timing and Task(s)

MOTION #2: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Add Coral 10 and deepwater CHAPC modifications to the Council workplan.
2. Convene the Habitat and Ecosystem AP in spring 2024 incorporating approved agenda items.
3. Convene the IPT to review Coral 10 and present the modifications that are needed at a future Council meeting.

APPROVED BY COUNCIL