



**Ecosystem and Ocean Planning  
Committee Report**  
*Potential Designation of Hudson Canyon  
National Marine Sanctuary*

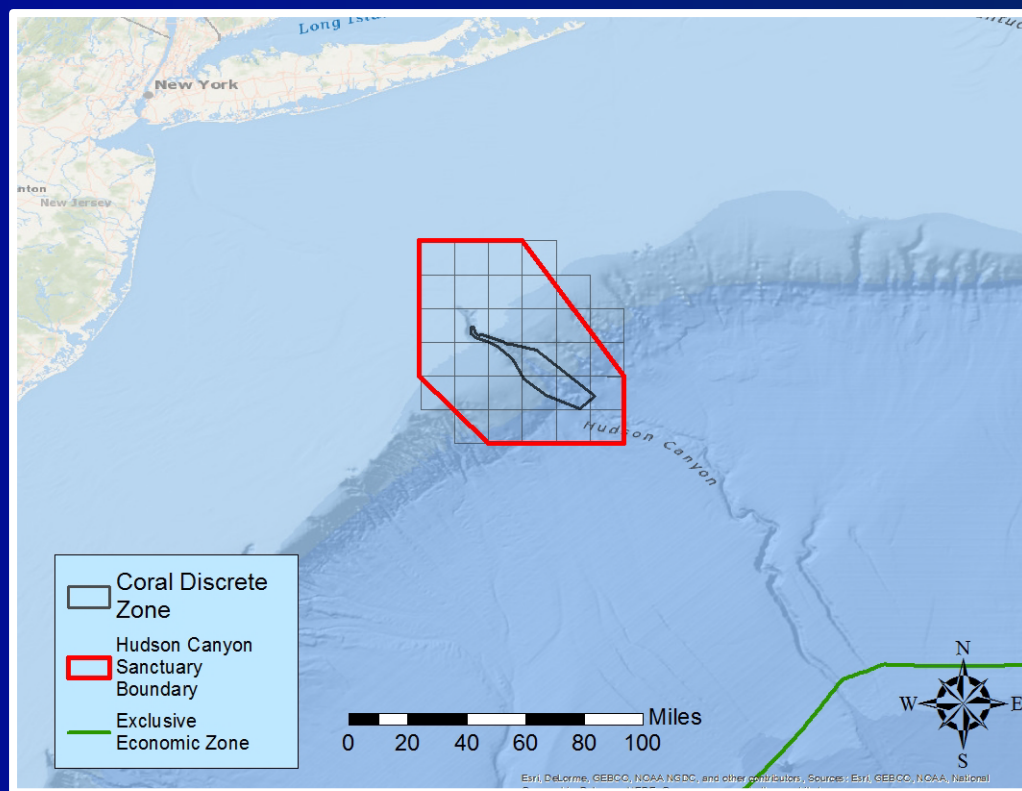
*August 10, 2022*

# Background

- Area nominated as potential sanctuary in 2016 by Wildlife Conservation Society (WCS); added to inventory of possible sanctuaries in 2017
- June 8, 2022: NOAA Office of National Marine Sanctuaries (ONMS) announced scoping process to consider designation of Hudson Canyon as a national marine sanctuary

# General Area Under Consideration

- No boundary currently proposed by NOAA (figure below from 2017 WCS presentation)



# Fishing in National Marine Sanctuaries

- Sanctuary designation would not necessarily result in new fishing restrictions
- Sanctuaries do not have the authority to establish fishing regulations unless fishing is prescribed as an activity within their Terms of Designation
- Most sanctuaries do not have fishing within their Terms of Designation

# EOP COMMITTEE AND AP COMMENTS

# Overview

- EOP Committee and EOP Advisory Panel met jointly on July 21, 2022
- Provided input to inform scoping comments on potential designation of Hudson Canyon National Marine Sanctuary

# Overview

- Mixed perspectives on designation from Committee and AP members
- Ultimately, participants agreed that Council support for sanctuary designation should be contingent on Councils/NMFS retaining fisheries management authority
  - General agreement that prohibitions on oil/gas and drilling/exploration would be a positive
  - Questions on permissibility of wind

# Fisheries Management Concerns

- Concern about retaining fisheries management authority
- WCS nomination supports “continued fishing” within sanctuary, but one AP member noted “concerning” language in nomination re: impacts of trawl fishing
- Fishing being excluded from list of regulated activities is not guaranteed until documents are final; could change in future (though would require long public process)



# Other Concerns

- Fisheries are already sustainably managed by Councils; unsure of benefits/need for designation
- Too much at stake for fisheries; “ocean is already getting smaller” for operators

# Sanctuary Boundaries

- No specific boundaries have been proposed at this time
- Two AP members suggested support for current MAFMC discrete zone as boundary if designation moves forward
- Process used to determine coral protection areas could be a model to determine sanctuary boundaries

## What can we learn from other sanctuaries?

- Council should seek clarification on how fisheries are managed in other sanctuaries, also lessons learned, particularly look at Stellwagen Bank
- Any cases where fishing was allowed and later removed?

# Potential Sanctuary Benefits

- Exclusion of oil & gas exploration and mining
  - Uncertain about wind
- Increased education & public awareness of the area and its resources (including Council efforts)
- Potential resources for monitoring/research
- **Additional clarity on benefits of sanctuary would be helpful**

# Offshore Wind

- Clarity needed on potential for wind energy permitting in marine sanctuaries
  - BOEM asserts they do not have the authority to permit wind in sanctuaries
  - Confusion re: whether permitting would be possible via other agencies; ongoing policy/legal conversations
  - Clarity on this issue needed to inform future comments/discussion

# Other Points

- Council should consider sanctuary goals; whether/how they align with Council goals
- Need to clarify other mechanisms for protecting important areas from offshore oil & gas development, if not via sanctuary designation
- CCC area-based management report would be informative for Council consideration of this issue

# Other Points

- Support for formation of Pre-Designation Sanctuary Advisory Council (SAC)
- The Council should highlight the economic value of fisheries harvested in the proposed sanctuary – including tonnage and also importance to small businesses/communities, including recreational fisheries
- It may be more constructive to participate in design of sanctuary vs. opposing

# Council Comment Letter

- Draft scoping comment letter reviewed by full Council via email; submitted on comment deadline of Mon. 8/8, available at <https://www.mafmc.org/briefing/august-2022>
- **Stay Informed:** <https://mafmc.org/actions/HUDSON-CANYON>



# DESIGNATION PROCESS AND NEXT STEPS

# Sanctuary Designation Process

- Scoping period just closed



**SCOPING:** NOAA announces its intent to designate a new national marine sanctuary and asks the public for input on potential boundaries, resources that could be protected, issues NOAA should consider and any information that should be included in the resource analysis.



**SANCTUARY PROPOSAL:** NOAA prepares draft designation documents including a draft management plan, draft environmental impact statement that analyzes a range of alternatives, proposed regulations and proposed boundaries. NOAA may also form an advisory council to help inform the proposal and focus stakeholder participation.



**PUBLIC REVIEW:** The public, agency partners, tribes and other stakeholders provide input on the draft documents. NOAA considers all input and determines appropriate changes.



**SANCTUARY DESIGNATION:** NOAA makes a final decision and prepares final documents. Before the designation becomes effective, the Governor reviews the documents. Congress also has the opportunity to review the documents.

# Consultation with Councils Under NMSA

- National Marine Sanctuaries Act requires NOAA to consult with relevant Councils on fishing regulations during designation (separate from scoping)
- Councils have opportunity to prepare draft regulations for fishing (additional fishing regulations under Sanctuaries Act) if they deem necessary, or can indicate that no additional regs are necessary
- Council requested to provide response by Dec. 31, 2022

# QUESTIONS?

# BACKUP

# Sanctuary Advisory Councils

- Community-based advisory groups which provide advice and recommendations to superintendents of sanctuaries
- Variety of stakeholder interests, e.g., conservation, education, fishing, research, tourism, recreation, etc.
- Pre-Designation Sanctuary Advisory Council possible: could inform development of boundaries and management

# General Area Under Consideration

- Original nomination (WCS 2016) included boundary below as starting point for further development

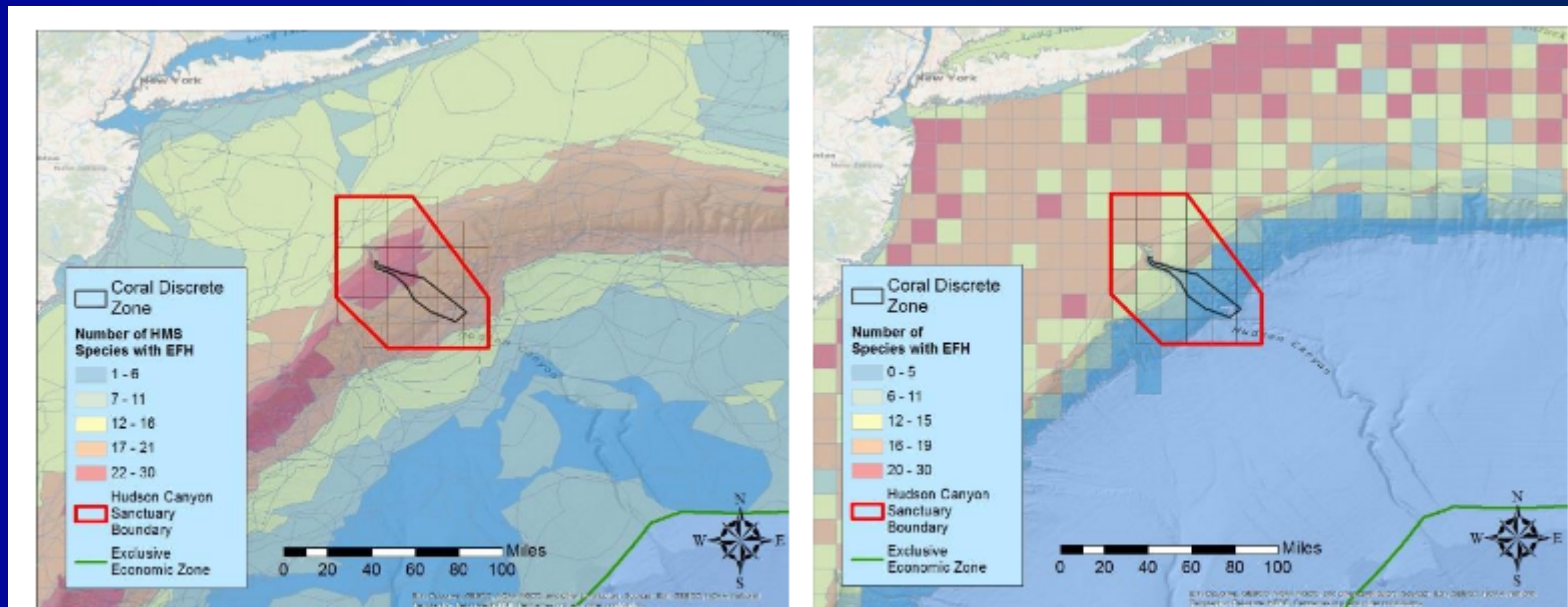


Figure 1. Number of species that have designated essential fish habitat in the proposed sanctuary boundaries including highly migratory species (left) and 39 species under federal management in the Mid-Atlantic and Northeast (right) (MARCO 2016).

# Commercial Revenue Assessment

- Commercial revenue, 2008-2020, from original nominated area

Table 3.2 Thirteen Year Total Revenue, Most Impacted Species, Hudson Sanctuary WCS proposal area MAFMC June 2022

Species	Thirteen Year Revenue
Sea Scallop	\$117,915,000
Longfin Squid	\$50,080,000
Summer Flounder	\$29,604,000
Golden Tilefish	\$23,109,000
Scup	\$9,943,000
Black Sea Bass	\$8,763,000
Silver Hake	\$8,512,000
American Lobster	\$5,927,000
Illex Squid	\$3,947,000
Atlantic Mackerel	\$2,445,000
<b>Total</b>	<b>\$260,246,000</b>



# Recreational For-Hire Landings Assessment

- For-hire fish counts, 2008-2020, from original nominated area

Table 1.1 Management Categories Fish Count, Hudson Sanctuary Wcs Proposal Area Mafmc June 2022

Management Categories	Thirteen Year Fish Count
Summer Flounder, Scup, Black Sea Bass FMP	115,793
No Federal FMP	28,080
Highly Migratory Species FMP	13,479
Northeast Multispecies FMP	9,863
Bluefish FMP	6,658
Golden and Blueline Tilefish FMP	6,116
All Others	5,641
ASMFC Interstate FMPs	282
Other Federal FMP	13
<b>Total</b>	<b>185,925</b>

# NOAA's Goals for Sanctuary

From June 8 FR

- Support conservation of the area's marine wildlife, habitats, and maritime cultural resources;
- Work closely with Tribal partners to identify and raise awareness of Indigenous connections to the area;
- Highlight and promote sustainable uses of the area;
- Expand ocean science and monitoring in, and education and awareness of the area; and
- Provide a platform for collaborative and diverse partnerships that support effective and inclusive long-term management of the area.

# Purpose and Need for Sanctuary Designation

From June 8 FR

- Develop coordinated and collaborative marine science, education and outreach, and cultural heritage programs to assist in promoting and managing the area's nationally significant resources;
- Highlight the many diverse human activities, cultural connections and maritime heritage of the area, from the Indigenous communities to existing activities in the area;
- Respond to community interest in conserving the natural environments, wildlife and cultural resources of this area; and
- Provide additional conservation and comprehensive ecosystem-based management to address threats to the area's nationally significant resources.

# Purposes of Sanctuary Program – From NMSA

PURPOSES AND POLICIES.—The purposes and policies of this chapter are-

- (1) to identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance and to manage these areas as the National Marine Sanctuary System;
- (2) to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities;
- (3) to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes;
- (4) to enhance public awareness, understanding, appreciation, and wise and sustainable use of the marine environment, and the natural, historical, cultural, and archeological resources of the National Marine Sanctuary System;
- (5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;
- (6) to facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;
- (7) to develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;
- (8) to create models of, and incentives for, ways to conserve and manage these areas, including the application of innovative management techniques; and
- (9) to cooperate with global programs encouraging conservation of marine resources.