



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

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MEMORANDUM

Date: November 28, 2022
To: Council
From: Jessica Coakley and Kiley Dancy, Staff
Subject: Proposed Hudson Canyon National Marine Sanctuary

At this meeting, the Council will receive a presentation from LeAnn Hogan, the Regional Operations Coordinator for National Oceanic and Atmospheric Administration (NOAA) Sanctuaries Eastern Region, on the proposed Hudson Canyon National Marine Sanctuary and the NMSA section 304(a)(5) consultation process with Councils. The Council will also develop recommendations to be provided in a letter to the Office of National Marine Sanctuaries (ONMS).

The Council last discussed this issue at the August 2022 meeting, when they received a report from the Ecosystems and Ocean Planning (EOP) Committee and Advisory Panel's (APs) July 2022 meeting. The EOP Committee and AP's comments informed development of a scoping comment letter, which was reviewed by the Council via email and submitted to ONMS on August 8, 2022.¹

Separate from the public scoping process, the National Marine Sanctuaries Act (NMSA) requires that NOAA consult with the relevant Regional Fishery Management Councils during the designation process for a sanctuary. The ONMS is seeking input on whether the Council may deem it necessary to prepare draft regulations for fishing within the Exclusive Economic Zone to implement the proposed sanctuary designation. Under NMSA section 304(a)(5), the Council may take one of three actions: 1) recommend draft fishing regulations for the proposed sanctuary; 2) recommend that fishing regulations are not necessary; or 3) choose not to act on the matter. For this consultation, "fishing regulations for the proposed sanctuary" refers to **additional** fishing regulations that would be implemented via sanctuary regulations, in addition to fishing regulations adopted by the Councils, NOAA Fisheries, or the Atlantic States Marine Fisheries Commission that may already be in place in the area.

When considering whether draft regulations for fishing are needed, the Council should consider the goals of this proposed national marine sanctuary designation. These goals include supporting conservation of the area's marine wildlife, habitats, and maritime cultural resources; working closely with tribal partners to identify and raise awareness of Indigenous connections to the area; highlighting and promoting sustainable uses of the area; expanding ocean science, monitoring,

¹ The Council's scoping comments are available at: <https://www.mafmc.org/s/MAFMC-Hudson-Canyon-Scoping-2022-08-08.pdf>.

education, and awareness of the area; and providing a platform for collaborative and diverse partnerships that support effective and inclusive long-term management of the area.

In a letter to the Council dated July 7, 2022, ONMS stated that it “acknowledges WCS’s [Wildlife Conservation Society; 2016 Nomination] analysis and believes that the current fishing regulations in the area (i.e., 50 CFR Part 648) promulgated under the Magnuson-Stevens Fishery Conservation and Management Act (MSA, 16 U.S.C. §1801 et seq.) appear to support the goals and objectives of the proposed sanctuary.”

At this meeting, the Council should develop recommendations on which of the 3 actions above to support and should provide input to help substantiate any recommendations to be provided to ONMS. The Council has been asked to provide this input by **February 1, 2023**.