



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Office of National Marine Sanctuaries
1305 East West Highway
Silver Spring, MD 20910

Eric Reid, Chair
New England Fishery Management Council
50 Water Street
Newburyport, MA. 01950

Dear Chairperson Reid:

On June 8, 2022, the National Oceanic and Atmospheric Administration's (NOAA's) Office of National Marine Sanctuaries (ONMS) published a Notice of Intent (NOI) in the Federal Register to conduct scoping and prepare a draft Environmental Impact Statement for the proposed Hudson Canyon national marine sanctuary (87 FR 34853). As part of our scoping process, and pursuant to section 304(a)(5) of the National Marine Sanctuaries Act (NMSA, 16 U.S.C. § 1434(a)(5)), we are seeking input from the New England Fishery Management Council (Council) 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.

The proposed sanctuary designation is based on a 2016 nomination submitted to NOAA by the Wildlife Conservation Society (WCS). In its nomination, WCS provides supporting analysis for its recommendation that recreational and commercial fisheries in the Hudson Canyon area should continue to be regulated by NOAA Fisheries and the New England and Mid-Atlantic Fishery Management Councils due to their "excellent record managing fisheries in the region." At this early stage in the sanctuary designation process, ONMS acknowledges WCS's 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. As such, we are seeking your expert opinion to help substantiate this analysis and make a recommendation to us in accordance with NMSA section 304(a)(5).

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. The full text of the NMSA is included as an attachment to this letter and provides the Council with additional guidance on the actions it may take with regard to section 304(a)(5), the proposed sanctuary and how any Council recommendation(s) will be evaluated by NOAA.



We greatly appreciate the time and effort of the Council on this matter and look forward to hearing back from you. If you have the opportunity to coordinate with the Mid-Atlantic and South Atlantic Fishery Management Councils, we encourage you to do so. We respectfully request that you share your expert opinion and recommendation for this section 304(a)(5) process by December 31, 2022. If you have any questions, or would like a briefing on the Hudson Canyon proposed sanctuary and/or the NMSA section 304(a)(5) process, please contact LeAnn Hogan at LeAnn.Hogan@noaa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'MB' followed by a horizontal line.

Matt Brookhart, Regional Director

Cc: Tom Nies, Executive Director, NEFMC
Michael Pentony, Regional Administrator, NMFS-GARFO

Attachments:

Notice of Intent to Conduct Public Scoping and Prepare a DEIS for the Proposed Hudson Canyon
National Marine Sanctuary
National Marine Sanctuaries Act