



## Long Island Commercial Fishing Association

P.O. Box 191~Montauk, N.Y. ~11954

Phone 516-527-3099~ Fax 631-668-7654~E-mail [Greenfluke@optonline.net](mailto:Greenfluke@optonline.net)

[www.licfa.org](http://www.licfa.org) <https://www.facebook.com/LICFA> Twitter@LICommFishAssn

Sustainable Fisheries *and* Fishermen for the 21<sup>st</sup> Century

August 8, 2022

LeAnn Hogan  
NOAA Office of National Marine Sanctuaries  
305 East West Highway  
SSMC4, Silver Spring, MD 20910  
Re: Docket NOAA-NOS-2022-0053

### **Notice of Intent to Conduct Scoping and to Prepare a Draft Environmental Impact Statement for the Proposed Hudson Canyon National Marine Sanctuary**

Dear Ms. Hogan:

On behalf of the Long Island Commercial Fishing Association (LICFA) please accept the following comments in opposition to the proposal to accept Hudson Canyon as a designated National Marine Sanctuary. The LICFA represents commercial fishermen of all gear types at over a dozen ports throughout Long Island, representing both state and federally-permitted vessels.

The LICFA has gone on the record since 2017 in our opposition of any designation of Hudson Canyon as a National Marine Sanctuary, because of the impact it could have on a variety of commercial fisheries prosecuted by New York fishermen.

Millions of pounds of seafood have been sustainably-harvested from both trawl and longline vessels from Hudson Canyon for decades, among them squid, scup, fluke, black seabass, whiting, butterfish and tilefish. Sustainably-harvested through effective fisheries management.

Those wild-caught fish have not only helped to feed families from our state and the nation a high-protein, low-carbon footprint meal, but have been the economic engine for thousands of small family businesses and shoreside-support businesses in coastal communities on Long Island, New York City boroughs and beyond.

Regulated by the Mid-Atlantic Fishery Management Council (MAFMC) via the Magnuson Stevens Act, the entire Hudson Canyon area has been and continues to be a massive economic driver to the “Wild-Caught Blue Food” economy of the Mid-Atlantic. From fishing boat to final

destination on a variety of plates to a variety of palates, whether at home or in a local restaurant, the entire wild-caught seafood economy that has symbiotically grown via Hudson Canyon's productivity over decades, with the economic multipliers involved, is a multi-billion dollar industry yearly to the Mid-Atlantic states.

When the Wildlife Conservation Society had first submitted Hudson Canyon for consideration as a sanctuary candidate in 2016, the MAFMC submitted a letter to your office in April of 2017<sup>1</sup> strongly recommending Hudson Canyon “not be advanced to the designation stage,” and that “a sanctuary designation is not a necessary or efficient approach to achieve effective conservation goals.”

Furthermore, the MAFMC made clear in their letter that they had “significant concerns with the sanctuary designation and management process, the uncertainty regarding the level of Council involvement and authority over fishing activity, and the potential for conflicting Council and sanctuary objectives. For these reasons, the Council, after careful discussion and deliberation, determined that this proposed sanctuary designation is not the best approach to achieve the intended conservation objectives and cannot support the Hudson Canyon proposal.”

Noted in that same 2017 letter was a footnote (#2) describing the uncertainty that could possibly bring future fisheries management decisions by the MAFMC into conflict with the NMSA, and that reason was a key component to their decision.

“Section 304(a)(5) of the National Marine Sanctuaries Act (NMSA) states that the Council's management proposals may not be accepted if the Secretary of Commerce finds that the Council's action “fails to fulfill the purposes and policies of [the National Marine Sanctuaries Act] and the goals and objectives of the proposed designation.” Additionally, this section states that the Council “shall use as guidance the national standards of [the MSA], to the extent that the standards are consistent and compatible with the goals and objectives of the proposed designation.”

Nothing has changed in the wording of the NMSA that would prevent the same Council vs Commerce conflict moving forward should your office approve sanctuary status. There are no protections afforded to commercial fishermen, who are socio-economically and culturally the most affected ocean stakeholders that utilize Hudson Canyon daily.

While false and derogatory language toward trawling and long-line fishing has become an unfortunate slander upon hard working American commercial fishermen, clearly your office as a part of NOAA is aware of how through the work of National Marine Fisheries Service, the sustainability of US fisheries is the gold-standard among countries with fishing fleets. Trawl and longline fishing boats in the US have a superior catch per unit of effort while having some of the lowest carbon footprints for wild-caught high-protein food sources.

It is because of decades of science-based fisheries management regulations from the MAFMC that Hudson Canyon has been not only productive but protected, with the coral zone amendment

---

<sup>1</sup><https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/61f2b1c613c1604f4d2dde8b/1643295174597/MAFMC+Hudson+Sancutary+Comment+Letter+26+April+2017.pdf>

passed in 2016.<sup>2</sup> Its success was built upon the formula of mutual respect between regulators and industry, a process where ENGOs, fishermen, regulators and scientists worked together over many months to achieve a groundbreaking outcome, and effective protection for deep sea corals without devastating losses of fishing grounds.

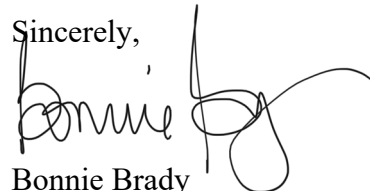
It is the exact opposite of what appears to be happening now. Not only for the proposed Hudson Canyon sanctuary borders, but how the proposed sanctuary siting boundaries collide with other fishery management spatial closures.

An example would be the Scup Gear Restricted Areas (GRA) that, if the sanctuary siting were approved as drawn and stitched together with the Scup GRAs, it could effectively close out a huge swath of productive ocean bottom to hundreds of Mid-Atlantic commercial fishing businesses that depend on those fishing grounds.

Not only GRAs, but the explosion of offshore wind energy lease areas will further push trawl and long line fishermen away from traditional, historic fishing grounds due to conflicts with turbine fields armed with hundreds of steel turbine poles and thousands of miles of electric cables lining the ocean floor where they had previously worked.

We at LICFA believe commercial fishermen must be viewed as primary stakeholders with any sanctuary determination, since their historic and heritage fisheries will be the most affected by this process. Since sanctuary decision-making authorities and bylaws can change over time, there is no guarantee that fishery management council authority, or approved fishing gear types and fisheries, will remain the same over time. It is for these reasons listed above that we respectfully implore you to oppose designating Hudson Canyon as a National Marine Sanctuary designation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bonnie Brady", with a stylized flourish extending to the right.

Bonnie Brady  
Exec. Dir.  
LICFA

---

<sup>2</sup> <https://www.mafmc.org/actions/msb-am16>