



Context for Federal Marine Protected Areas

National Advisory Panel on Marine Protected Area Standards

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Outline

1. Legislation for Establishing Marine Protected Areas (MPAs)
2. Overview of Key Federal Policy Documents
3. MPA Network Planning
4. 'Other Measures' Criteria to establish Marine Refuges



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1. Legislation for Establishing Marine Protected Areas (MPAs)



Federal Marine Protected Areas Legislation

- The *Oceans Act* mandates the Minister of Fisheries, Oceans and the Canadian Coast Guard to lead and coordinate the development and implementation of a national network of marine protected areas (MPAs), on behalf of the Government of Canada.
- There are three federal departments/agencies with MPA programs that contribute to these efforts:
 - **Fisheries and Oceans Canada (DFO)** establishes MPAs through regulation under the *Oceans Act* in response to conservation needs of dynamic ecosystems and resources. OA MPAs protect and conserve marine species, habitats and/or ecosystems which are ecologically significant and/or distinct.
 - **Environment and Climate Change Canada (ECCC)** establishes National Wildlife Areas (NWAs) through regulation under the *Canada Wildlife Act*, and Migratory Bird Sanctuaries under the *Migratory Bird Convention Act*. The primary focus of these tools is to protect and set aside important habitat for migratory birds and species at risk, for the purpose of conservation, research, and public education.
 - **Parks Canada Agency (PCA)** establishes National Marine Conservation Areas (NMCAs) through scheduling under the *Canada National Marine Conservation Areas Act* for the purpose of protecting and conserving representative examples of Canada's Arctic, Atlantic and Pacific Oceans and Great Lakes for the benefit, education and enjoyment of the people of Canada and the world.



Federal Marine Conservation Tools

Federal Tool	Prohibited Activities
<i>Oceans Act</i> MPA (DFO)	<ul style="list-style-type: none">• The nature of the prohibitions is directly dependent on the conservation objectives of the area.• Human activities that are not compatible with these conservation objectives are typically prohibited within the protected area or within specific zones.
National Wildlife Area & Migratory Bird Sanctuary (ECCC)	<ul style="list-style-type: none">• All activities are prohibited unless authorized by a permit or an exemption.
National Marine Conservation Area (PCA)	<ul style="list-style-type: none">• Exploration or exploitation of hydrocarbons, minerals, aggregates or any other inorganic matter is prohibited within the entire protected area• Must include at least one zone that fully protects special features or sensitive elements of ecosystems (i.e. no extractive use of marine resources).
Marine Refuge (DFO)	<ul style="list-style-type: none">• Prohibits fishing activities that will compromise the area's conservation objective using tools available under the <i>Fisheries Act</i> (i.e. licence conditions & variation orders).



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2. Overview of Key Federal Policy Documents



Federal Marine Protected Areas Policies

Each federal MPA program is supported by department/agency specific policies:

Federal MPA	Supporting Policies
<i>Oceans Act</i> MPA (DFO)	<ul style="list-style-type: none"> • Marine Protected Areas Policy (1999) • National Framework for Establishing and Managing Marine Protected Areas (1999)
National Wildlife Area & Migratory Bird Sanctuary (ECCC)	<ul style="list-style-type: none"> • Policy when Considering Permitting or Authorizing Prohibited Activities in Protected Areas Designated Under the Canada Wildlife Act and Migratory Birds Convention Act, 1994 (2011 – under review) • Selection of Sites as National Wildlife Areas (web content) • Selection Criteria for Migratory Bird Sanctuaries (web content)
National Marine Conservation Area (PCA)	<ul style="list-style-type: none"> • National Marine Conservation Areas Policy (1994) • Sea to Sea to Sea – Canada’s National Marine Conservation Areas System Plan (1995)

There are also overarching policies that guide these programs:

- Federal Marine Protected Areas Strategy (2005); and
- National Framework for Canada’s Network of Marine Protected Areas (2011).



Federal Marine Protected Areas Strategy (2005)

- This Strategy outlines how DFO, PCA and ECCC will work together to establish a comprehensive network of MPAs that will conserve and protect Canada's natural and cultural marine resources.
- The intent of this Strategy is to clarify the roles and responsibilities of the three federal departments / agencies with MPA mandates, and to describe how federal MPA programs can collectively be used to create a cohesive and complementary network of MPAs.
- This Strategy defines the following goal:
 - *The establishment of a network of marine protected areas, established and managed within an integrated oceans management framework, that contributes to the health of Canada's oceans and marine environments.*



National Framework for Canada's Network of Marine Protected Areas (2011)

- The *National Framework for Canada's Network of Marine Protected Areas (National Framework)* provides strategic direction for the design of a national network of MPAs that conforms to international best practices and helps to achieve broader conservation and sustainable development objectives identified through Integrated Oceans Management and other marine spatial planning processes.
- The *National Framework*:
 - outlines the proposed overarching vision and goals of the national network;
 - establishes the network components, design properties, and eligibility criteria for which areas will contribute to the network;
 - describes the proposed network governance structure; and
 - provides the direction necessary to promote national consistency in bioregional network planning.



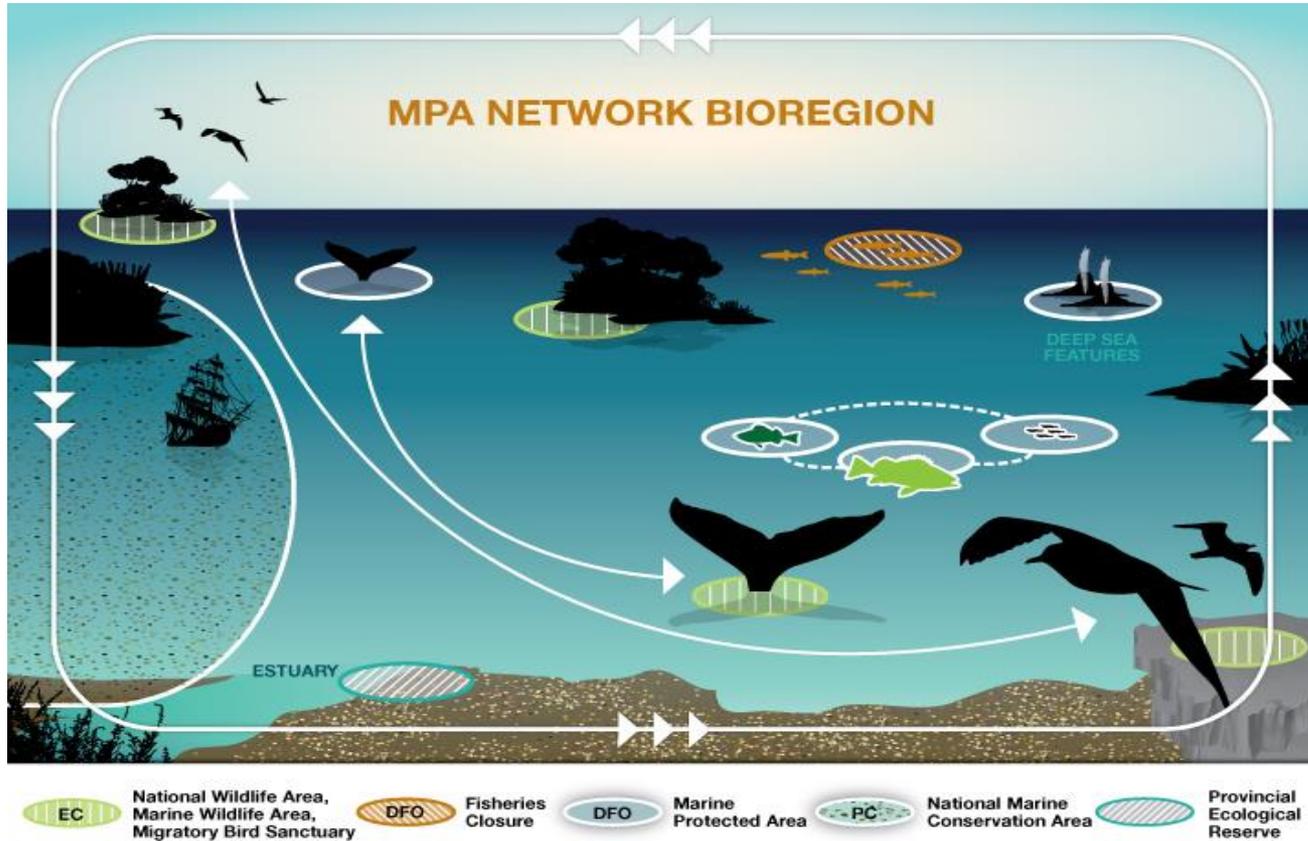
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3. MPA Network Planning



What are MPA Networks?



A network of marine protected areas (MPAs) is a collection of individual MPAs that operates cooperatively and synergistically, at various spatial scales, and with a range of protection levels, in order to fulfill ecological aims more effectively and comprehensively than individual sites could alone.

Canada's approach to network development also recognizes the contribution of Other Effective Area-Based Conservation Measures.

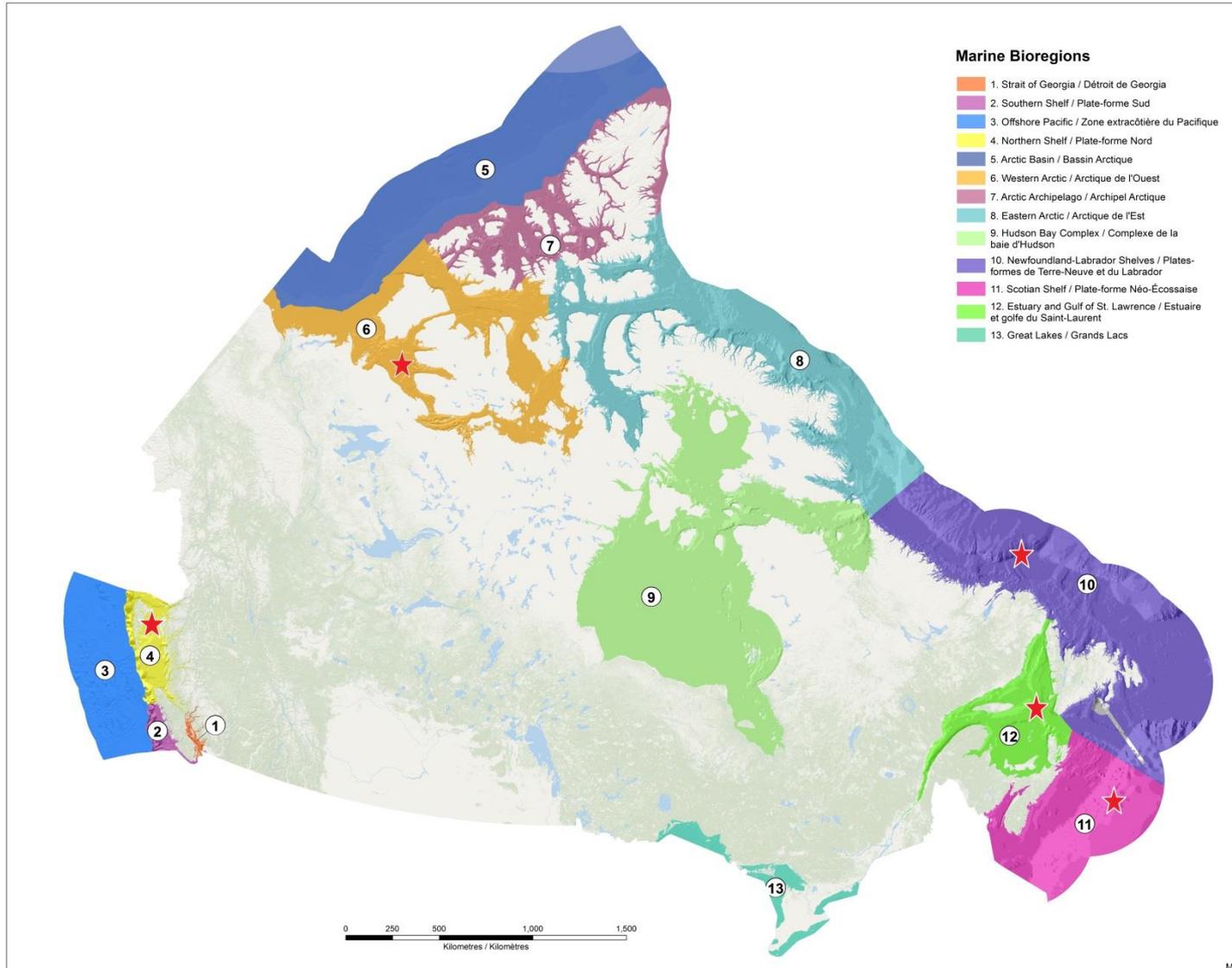


Canada's National MPA Network

- Canada's national network will consist of 13 bioregional networks located in each of the country's ecological bioregions.
- Networks are planned and managed on an individual basis with comprehensive engagement and consultation.
- There are three goals for the national network of MPAs, from the 2011 National Framework:
 - To provide long-term protection of marine biodiversity, ecosystem function and special natural features;
 - To support the conservation and management of Canada's living marine resources and their habitats, and the socio-economic values and ecosystem services they provide; and
 - To enhance public awareness and appreciation of Canada's marine environments and rich maritime history and culture.
- Specific objectives for each bioregional network will differ according to the unique physical, ecological and biological attributes of the area.



MPA Network Planning in Areas Under Pressure





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4. 'Other Measures' Criteria to establish Marine Refuges



Concept of “Other Measures”

- The Convention on Biological Diversity (CBD) recognises the contribution of “**other effective area-based conservation measures**” (“**other measures**”) to the international target to conserve 10% of marine, and 17% of terrestrial, areas by 2020.
- Voluntary CBD guidance to define “other measures” is anticipated in 2018. International and domestic efforts to help define the term include:
 - Canada hosted international marine science experts workshop on other measures with the CBD, February 6 -9, 2018;
 - International Union for the Conservation of Nature (IUCN) developing advice to the CBD;
 - Canadian Council on Ecological Areas developing advice in a Canadian context; and
 - ECCC and PCA working to define terrestrial “other measures” concept through terrestrial pathway to Aichi Target 11 process.
- Canada’s commitment to an interim target to protect 5% of marine areas by 2017 required us to get out ahead of the international community in defining this concept.



Identifying “Other Measures”

- DFO developed operational guidance, based on science advice and guidance under development by IUCN OECM Task Force and Canadian Council on Ecological Areas, which provides five criteria for an “other measure”:
 1. Has a clearly defined geographic location that is spatially defined;
 2. Includes ecological components of interest, including an important habitat and species;
 3. Has conservation or stock management objectives;
 4. Has a long-term duration of implementation; and
 5. Effectively conserves the ecological components of interest from existing and foreseeable pressures.
- More than 1,000 existing fisheries area closures were inventoried
- By the end of 2017, approximately 51 closures met “other measures” criteria, covering 4.78% of Canada’s marine territory. These are known as **marine refuges**.