

July 31, 2018

To the National Advisory Panel on Marine Protected Areas:

I am writing to the National Advisory Panel on Marine Protected Areas to offer my perspective, that of a coastal resident of Nova Scotia's Eastern Shore, on "the categories and associated protection standards for federal marine protected areas (MPAs)", and on the Oceans Act MPAs in particular. The proposed Eastern Shore Islands Area of Interest (AOI) western boundary begins in Clam Bay (where I live) and extends along the Shore for approximately 100 kms. to Liscomb. I am what you would call in these matters, an "interested party".

When Canada's Oceans Act came into force on January 31st, 1997, it established Canada as the first country in the world to have comprehensive oceans management legislation. The supporting policy, Canada's Ocean Strategy 2002, included as one pillar, "the understanding and protection of the marine environment while supporting sustainable use of marine resources". It was clear from the outset that Science i.e. understanding the state and functioning of the marine environment, would be the driver leading to protection of that marine environment. Further, it highlighted that protection must consider the degradation of the marine environment including alteration and destruction of marine habitat. These were first principles for the stewardship responsibilities intended by the legislation and underpinning the establishment of a national network of marine protected areas as instruments of marine protection.

I raise these legislative and policy principles because, in reviewing the June 2018 report of the Standing Committee on Fisheries and Oceans, "Healthy Oceans, Vibrant Coastal Communities: Strengthening The Oceans Act's Marine Protected Areas' Establishment Process", I felt that the fundamental role of marine protection driven by Science had taken a back seat to a discussion of trade-offs and a grand negotiation --- more about ensuring access to existing and future marine resources for economic development by current users than about strengthening the process for protection of areas of high biodiversity, biological productivity or habitat for marine species-at-risk.

Despite this observation, I am encouraged that the ministerial direction for the work of the Advisory Panel specifically directs the use of the International Union of Nature guidelines and categories to guide its work. The primacy of conservation is evident in the IUCN definition of a marine protected area: "a clearly defined geographical space recognized, dedicated and managed by legal or other means to achieve the long term conservation of nature with associated ecosystem services and cultural values". The IUCN principles are clear:

- conserving nature as the main objective or priority;
- protected areas must prevent, or eliminate where necessary, any exploitation that will be harmful to the designation;
- protected areas must not be used as an excuse for dispossessing people of their sea territory;
- protected areas should be managed in perpetuity and not as a short term or temporary management strategy.

While MPAs must be tailored to the particular requirements of the marine space and identified environmental objectives, the following fundamental protection standards or prohibitions should apply for all MPAs, given the damaging nature of activities involved:

- No bottom trawling or benthic disturbing activities

- No commercial scale, marine-based wind farms or tidal power installation
- No oil or gas exploration or development
- No undersea mining or gravel extraction
- No open pen, fin-fish aquaculture

Further, DFO policy has determined that the location of candidate MPAs should be based on biological objectives. While avoidance of conflict from current users is desirable, the presence of existing human users should not compromise conservation priorities which are much longer term. The determination of the scope and scale of “no-take” and buffer zones should be based on biodiversity, biological productivity and species-at-risk objectives and the need for set-aside areas required to monitor changes in the marine environment relative to the protection objectives of the MPA. This includes the need for future climate change adaptation by permitted sustainable users. In my view, establishing a 75% “no-take” guideline or best practice should be adopted as a reference point.

Social licence is desirable for the development and establishment of MPAs; current stakeholders must be involved in the process. Intensive engagement work with local communities to build understanding and trust that leads to social licence can be a useful and authentic approach to building support for the long term objectives and nearer term opportunities presented by the MPA.

In the case of coastal communities such as the Eastern Shore of Nova Scotia, the commercial lobster fishermen and others can contribute a great deal to the development and design of the MPA, drawing on their intimate knowledge of the AOI area and its marine resources and how they have changed over time. Local groups can help elaborate and refine MPA conservation objectives based on local knowledge as fishermen are often the only ongoing human presence on the water.

Government funding needs to be made available in support of community engagement in MPA design and development, as well as a future, compensated role for fishermen in the management and monitoring of the MPA once established, as a kind of conservation and protection auxiliary presence on the water in addition to their ongoing work in support of government Science.

Whatever standards you recommend to the government as a result of this advisory panel process, the primacy of conservation objectives needs to be maintained. In my view, too much accommodation and compromise in the process to avoid conflict with current short term economic interests is nearsighted --- it will not serve the long term interests of existing sustainable users who rely on a biologically healthy marine environment for their livelihoods, or future sustainable resource uses yet to be developed. Further, the international Aichi target of 10% protection by 2020 which is supported by Science, seems reasonable to me and should be kept and honoured.

Thank you for the opportunity of sharing my perspectives on MPA protection standards.

Karen Traversy