



Presentation to the National Advisory Panel on MPA Standards

By

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Good afternoon Members of the Panel,

My name is Leonard LeBlanc; I reside in Cheticamp, Nova Scotia. I am grateful for the opportunity to appear before you today to discuss Canada's Marine Protected Areas policy and how it might be altered by the introduction of new standards, possibly along the lines of those of the International Union for the Conservation of Nature (IUCN).

I am here today in my capacity as president of the Gulf Nova Scotia Fisherman's Coalition and as secretary treasure of the Gulf Nova Scotia Fleet Planning Board. The Gulf Nova Scotia Fleet Planning Board is the policy and advocacy voice on a diverse range of issues; representing over 500 independent owner/operators from 6 multi species accredited harvester organizations. Our inshore harvesters hold multi-species licenses for snow crab, lobster, herring, rock crab, and bluefin tuna to name but a few.

I myself was an inshore harvester for 33 years, and a harvester representative for 32 years. I retired from fishing in 2015 and now devote my time to advocating for inshore harvesters on a variety of issues including resource management, environmental stewardship, marine safety, oil and gas development, and community engagement.

I would like to begin my formal presentation by talking about today's commercial fishery and its many challenges, which I hope will provide a useful setting for your panel deliberations.

Today, the collective 'we' approach the harvesting of seafood and the protection of the ocean environment in a holistic and highly inter-connected fashion, with considerations for climate change and biodiversity.

The high cost of acquiring licences and a vessel, and the ongoing cost of operating and repairing their vessel are a source of constant pressure. Any change from traditional fishing patterns, closed areas and the creation of Marine Protected Areas further increase costs faced by the harvester.

I would like to remind you of the significant strides that harvesters have embraced and supported in implementing more responsible fishing practices that are guided by DFO's Fisheries Sustainability Framework and associated policies for managing bycatches, discards, and protecting sensitive marine benthic habitats. The snow crab and lobster fisheries throughout the southern Gulf of St. Lawrence are both MSC-certified meaning that they are undertaken with appropriate mitigation of risks to endangered species and sensitive marine benthic habitats. As you know, lobster, snow crab and ground fish longline are fished using gear that is placed on the ocean's floor, which has a minimum footprint on the bottom sea floor compared to mobile dragging.

Please take this into account in your deliberations on any additional guidelines you feel are needed in regards to how MPAs are categorized and managed moving forward.

Although your panel has been mandated to consult with a variety of stakeholders on the possibility of including additional IUCN parameters, I hope your focus will not be restricted only to fishing. **May I bring your focus on the controversial modernisation of Northern Pulp, which includes a pipeline ending into the Northumberland Strait dumping it's effluent directly in to a recognised refuge area. This area better known as a scallop buffer zone.**

I have examined the IUNC's 2008 guidelines for applying protected area management categories as well as the 2012 supplementary guidelines. I was perplexed to read that the guidelines were field-tested in the Maldives and Korea- whose fisheries and related management policies, regulations and legal mechanisms are likely very different from our own. This leads me to believe that the Panel's recommendations will be doubly important in strengthening Canada's MPA framework. I am not suggesting that Canada should undertake a comprehensive overhaul of its framework just to be more fully aligned with the IUCN's guidelines.

A made-in Canada framework that represents and responds to our national MPA aspirations would best serve us.

That said, I offer the following comments in point form in regards to some aspects of the 2012 supplementary guidelines.

- Section 2.3 of the supplementary guidelines (p. 15) outlines when a marine area that may achieve conservation outcomes is not an MPA. The example that caught my attention reads as follows: "Community areas managed primarily for sustainable extraction of marine products, e.g. coral, fish, shells." In Canada, sustainable fishing practices are a longstanding objective of fishery managers, policy and decision makers, environmentalist and harvesters. My interpretation of the example leads me to conclude that if an area where fishing practices are deemed to be sustainable, where appropriate policies and regulations are in place, there would be no purpose for incorporating fisheries activities as part of an MPA. An example is **(Snow crab fishing area 19)**

Ladies and Gentlemen, I would now like to turn to the Panel's Questions and offer some comments for your consideration.

Q1. Experience around the world indicates that well-managed marine protected areas can help safeguard ecosystems and wildlife, rebuild fish stocks, and generate increased economic opportunities. What practical recommendations do you have for creating standards for marine protected area.

A1. The value of well-managed marine protected areas is already captured in a variety of government, academic and NGO publications and promotional material. DFO has produced a world-class stable of policy frameworks that directly address and promotes responsible fishing practices, and the protection of marine ecosystems and habitats. Proposed amendments to the Fisheries Act now under consideration will enshrine many of the frameworks' key principles and methods into law where they will be enforceable. The Oceans Act obligates DFO to develop rebuilding plans when stocks are located in the "Critical Zone".

I am not implying that new MPAs should not be established. What I am suggesting is that creating new MPAs in the marine areas of the Maritime Provinces should not repose on the need to meet fisheries and ecosystem management objectives that are already defined in statutes, regulations, and policy and implemented through Integrated Fisheries Management Plans.

a. On what do you base these suggestions? Best available science, indigenous knowledge, ecosystem approach or something else?

I have indicated that defining the categories and key management objectives that characterize the various types of MPAs across the country could strengthen DFO's MPA Framework. The IUCN's categories may offer a good starting point for this work, however they lack in acknowledgment for the progressive management tools and low impact nature of our fixed gear fisheries.

Q2. What role do indigenous approaches play in shaping your suggestions? What kinds of guidelines will help Canada to honour its commitments to reconciliation and new relationships with Indigenous peoples?

The Supreme Court has clarified the nature and scope of rights attributed to Canada's Indigenous Peoples in a set of landmark decisions. It has been said that the Indigenous Peoples were conservationists/environmentalists long before new immigrants arrived to settle the land. Their unique perspectives and connections to the Earth are important; their contributions must be encouraged including in a setting they themselves see as representative of their culture and rights. Our organization currently includes and encourages Indigenous participation.

Q3. The IUCN has developed an existing structure to categorize marine protected areas. What do you see as the strengths and weaknesses of the IUCN Guidelines?

Based on the references cited in the 2012 guidelines report, the Canadian Government's contribution appears to have been limited to Environment Canada (on behalf of the Canadian Wildlife Service). The perspectives of DFO do not seem to have been provided – hence a likely weakness of the guidelines. The matrices represented by Tables 5 and 6 are potential tools that could eliminate long-term traditional commercial fisheries that have existed for generations without detrimental impact on the environment.

Q4. Overall, do the Guidelines developed by the IUCN work well in the Canadian context?

I wish to reiterate my view that Canadian MPAs should not be established if the objectives are to regulate the commercial fishery in order to fish more selectively, rebuild stocks, protect vital ecosystems and habitats etc. These worthwhile objectives can be easily achieved through DFO's extensive suite of statutes, regulation, order powers, and policies. Independent oversight as a check on whether the objectives are being met is provided by a number of entities, including a parliamentary committee, the Audit General, the Commissioner of the Environment and Sustainable Development, various regional, national NGOs and academic institutions.

Q5. Are there specific circumstances unique to Canada that pose challenges for the use of the IUCN guidelines? What might these be? How should these circumstances be addressed?

There could be in areas of overlapping federal and provincial jurisdiction (e.g. some inland waters) or shared international jurisdiction (e.g. the Great Lakes). There might also be challenges in finding appropriate ways to directly involve Indigenous Peoples across the marine protected areas spectrum while recognizing and respecting their desire to be "self-governing".

Members of the Panel, this concludes my presentation. Thank you for allowing me the opportunity to appear before you today. If you have any follow-up questions, I will endeavour to try and provide responses.