

Marine Protected Areas (MPAs) One Year Later
2004 Fishermen's Forum Session on MPAs

**Presentation notes prepared by
the Maine Sea Grant Program
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***I. George LaPointe—Commissioner, Maine Department of Marine Resources.
Update on the MPA Federal Advisory Committee.***

The committee is developing advice and recommendations on developing a national system of MPAs. There are thirty members on the committee. Three meetings convened (or to be convened) so far:

- June 2003—topic: defining MPAs
- November 2003
- April 2004

The Committee is divided into three subcommittees:

- 1) A National System of MPAs (George LaPointe serves on this committee)
- 2) Stewardship and MPA Effectiveness (Barbara Stevenson is on this committee)
- 3) Regional Coordination (no Maine representation)

The national system may include: areas that are representative of the different ecosystem types; areas to protect at-risk or endangered species; areas closed to specific activities, unique features, etc.

The Inventory of Marine Managed Areas (MMAs)/MPAs:

In September 2003, The National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI) released a federal register notice seeking public comment on the criteria for developing an inventory of Marine Managed Areas currently existing in U.S. waters and definitions of the terms contained in the executive order's definition of an MPA. [*The working criteria will be used to develop an Inventory of MMAs, followed by the development of a List of MPAs*]. Examples of the terms being defined include: lasting protection, area, reserved.

The Result: The Committee has tentatively defined that an MPA cannot be an area designated for single species protection and must provide at least four years year-round protection. An MMA can have a single species focus and must provide area protection for at least 2 years and at least 3 months per year.

Timeframe of the Federal Advisory Committee: the work of the committee will take several more years. They have just set up the subcommittees. Moving slowly.

The Committee's recommendations will provide a framework for implementation in individual areas.

Audience Questions:

- Susan Farady, The Ocean Conservancy: How does the Committee plan to move from the inventory of MMAs to an inventory of MPAs?
- Killer Smith from Jonesport, chairman of sea urchin zone council - lobster fisherman. There are now rolling closures, the Area I & II closures, etc. and now there is talk about more MPAs. How much do you think fishermen can digest? There are more jobs to keep fishermen from fishing than jobs on the water. This has led to a lot of resentment. The end result of all of this is that it seems like you want to take our licenses and permits away. I hope you proceed with caution on this and don't create a whole bunch of permanently closed areas.
- Answer [George Lapointe]: The reason I'm on this panel today is because we have a concern about the impact of MPAs to the fishing industry. Nationally, there have been numbers thrown out like closing 20% of the total area and having 100 areas. These are the extremes of what is being discussed. But you have to be careful about how these areas are formed and how MPAs affect the sociology of the coast. An excellent example is The Dry Tortugas MPAs in Florida. They picked an area to talk about and engaged in a full stakeholder process to consider options. In the end, they protected habitat and listened to local users. They minimized the impact on fishermen. The other concern is that in Maine we have been in the conceptual phase. The discussion has been broad. But fishermen don't know how these will affect them until we are talking about a specific place.

II. Amy Schick- Center for Sea Change reporting on Pew Ocean Commission Report and recommendations related to marine reserves.

Information in the report represents the results of a 3-year study. The study included meetings with the public asking them what they would like to see for the future of marine resources. The report included a comprehensive review of the impacts to living species including aquaculture, development, governance, climate change, fisheries, pollution, etc.). Recommendations include a call for a national ocean policy to guide how we use ocean resources (similar to the Clean Water Act, etc.), a realignment of [*government*] ocean institutions. Recommendations emphasized the need for ecosystem-based approaches and looking at land-sea connections.

What is in the report about MPAs? The recommendations call for:

- 1) Ocean zoning to reduce user conflict, facilitate planning of ocean uses, improve conservation, and protect habitat. Example: Florida Keys National Marine Sanctuary.
- 2) A national system of marine reserves (to protect unique areas, replenish other areas, protect important habitat)
- 3) The development of regional ocean ecosystem councils to: determine where and how MPAs implemented, integrate how decisions on different marine issues in a given area are made at the local level, develop regional plans (with goals and indicators) for regional ecosystems, and establish local advisory bodies.

III. ***John Williamson—Stellwagen Bank National Marine Sanctuary Advisory Council. Fisheries Activist.***

Stellwagen Bank National Marine Sanctuary is ten years old. The sanctuary system calls for a management plan review for each sanctuary every five years. The current management plan review for Stellwagen is the first one for the sanctuary. Overdue.

The review process: *[The Sanctuary Advisory Council conducted public scoping meetings and from public commentary prioritized topics for the management plan review process.]* The Sanctuary Advisory Council decided on 12 different topic areas for the review (fisheries, education, marine mammals, etc.) and who should sit on the review panels/working groups. The review panels/working groups are made up of 190 community members. A sanctuary advisory council member chairs each working group. The working groups will develop recommendations that will be reported to the sanctuary advisory council. *[The Council will review and incorporate these recommendations and send them to the Sanctuary superintendent, where a draft management plan will be developed. This draft will go out for public comment. The comments will inform the final revisions to the management plan.]*

Closing Comments: MPAs are not all about fisheries. They are about the full array of impacts (water quality, invasive species, etc.). Because they are not all about restricting fisheries, MPAs are not all bad for fisheries. MPAs can have importance to fisheries without restricting fishermen. The marine use community that MPAs are designed to address is broader than fishermen.

IV. ***Jud Crawford, Marine Scientist, Conservation Law Foundation. Update on Mapping Priority Areas for Marine Conservation Project.***

The project represents 3 years of work by CLF. Goals: to identify areas representing the full spectrum of marine life and areas that can support ecosystem functions, and to develop flexibility for meeting goals. The project aims to identify the options that are available for meeting these goals.

Methods:

- 1) Map distributions of marine life with the spatial data available;
- 2) Classify and map habitat types from physical oceanographic data (depth, substrate).
- 3) Produce conservation options or proposed sets of areas by looking at habitat and living species distributions.

They focused on 3 bioregions: Gulf of Maine, Georges Bank, Scotian Shelf. Mapping is on a scale of 10-mile by 10-mile planning units.

Looked at the results from juvenile fish tows. Good candidate areas are those with high-density juvenile fish. Areas where there are mid-level concentrations of juvenile fish represent the flexibility that exists and options for choosing candidate areas.

A second focus of the project was on primary productivity, because high chlorophyll areas known to support larval fish.

They are looking across multiple maps through computer analysis and asking, “Which areas meet conservation objectives for benthic habitat and areas of high biological importance?”

Looked at potential small, medium, and large sized areas. This is designed to be a systematic approach to defining MPA options using objective data derived from surveys of large areas.

CLF will be rolling these maps and more maps out in upcoming meetings/forums.

V. *George Feltham—Eastport Lobster Protection Committee, Bonavista Bay, New Foundland.*

History: Lobster depletion. In 1999 & 2000 the Eastport Lobster Protection Committee was formed to promote an MPA process in their area. Promoted the closure of two small areas to protect stocks of the local area and to close a natural area for science research to continue.

Two years after the two areas were closed as no-take reserves, they have seen spillover to other areas, increase in the number of spawners, and an increase in the size of lobsters. This year, 95% *[of the committee]* moved to support the continuation of the closures. The committee consists of 60% commercial harvesters and also community leaders, town councilmen, recreational boaters, executives from Department of Fisheries and Oceans (as advisors and non-voting members), the provincial department of fisheries.

[But approach is important]. In 2001, the Minister of Fisheries announced that Bonavista Bay would be an area of interest for an MPA. Prior to this, the Department of Parks tried to make Bonavista an MPA. When they looked at what the Dept. of Parks had done on land, they weren't impressed because of the highly commercialized tourist industry in these parks. This is not what wanted for Bonavista Bay. The proposal scared them all. They had difficulty trusting decision-makers to site and manage MPAs in Bonavista Bay.

The point: MPAs have to be done for the right reasons. The reasons must be clear and transparent—e.g. an MPA for stock enhancement.

Where the Committee is now: The Committee has completed biodiversity and social studies, mapped the reserve areas, mapped areas of importance to fishing interests, and tourism interests.

Personal Views: He supports MPAs and believes they can work. Management tools in the past haven't worked. We need new management tools, but we also need to make sure that a way of making a living persists.

Principles to follow:

- 1) Identify why closing an area and who the beneficiaries will be
- 2) Start small and if there are benefits, the areas will sell themselves
- 3) Support of locals is critical. If you can't enforce, don't put them in

When these fundamentals are met, you can develop a network of MPAs to benefit all.

VI. *Sherman Hoyt—Maine Sea Grant/UM Coop Ext. Marine Extension Team. Introducing Richard Taylor and Northeast Regional Gear Mapping Project.*

Federal money was provided to do regional fishing gear mapping.

Why do gear mapping? We don't currently know who is fishing where. Fishermen are the largest users. There is no good info about where fishing is taking place with different gear types.

This is a simpler version of what Canada has already done.

A question that has been raised through this project: What information do fishermen want public? Sherman contends that if this information isn't available, the fishing industry won't be in the decision-making process *[regarding MPAs]*.

Methodology: They are hiring fishermen to interview other fishermen.

VII. *Richard Taylor-MIT Sea Grant, Northeast Regional Gear Mapping Project.*

This is a six state Regional Sea Grant effort, from Maine to New York, with results on the internet <http://web.mit.edu/seagrant/advisory/GearMapping/GearMapping.html>

Rationale: Fishing gear usage provides useful insight into habitat type. For example, one layer on the maps show where chain nets are used—these are the lightest and most fragile mobile gear that you can tow, used primarily on softer mud and flat sand bottom types. Other gear types include scallop dredges, roller nets, gillnets, and lobster traps. In the case of scallop dredges, where we have the most comprehensive data provided by the mandatory satellite tracking units, we can see that only a very small percentage of the area of the EEZ is actually used by this gear type. We do not have this level of precision for other gear types hence the utility of this project.

Methods: In most cases a local fisherman was engaged to interview fishermen about gear usage. Results were drawn directly on the same charts the fishermen use routinely every day. The information is then digitized into ArcView with results exported into a WEB GIS, designed to be viewed without specialized software.

Dissemination of results: The resultant maps are intended to help provide information about gear use and other datasets to fishermen, regulators, and to all interested citizens. These maps are available to anyone with access to the internet using the Internet Explorer browser version 5 and up. Along with the information about fishing gears, other datasets have been included in order to increase data access and thus understanding of all parties. Similar WEB GIS applications can also be found at www.seascallop.com, under 'Projects', including one developed solely for the Stellwagen Bank National Marine Sanctuary in an attempt to bring as much of the known information as possible into one place. They are ongoing 'works in progress'.

Conclusion: In the last 10 years the best estimates (NEFMC, NMFS etc) mobile gear time on bottom has been reduced by 50 to 75% with similar reduction in area used. Additionally there are many more thousands of square miles where only lobster traps and gillnets are in use. While we can deliberate over the definitions of MMAs and MPAs, we cannot say there are not already significant benefits to habitat when we have prohibited fishing for 6-9 months per year in many thousands of square miles and allowed none at all in many more thousands. This project is a first attempt to document where we are with regard to existing usages in an easily accessible way.

Science is the process of drawing conclusions from direct observation. Collectively fishermen have more experience operating along the coast and on the continental shelf than all the other citizens. I believe the importance of fishermen's contribution to the MPA discussions cannot be overstated. The key element is that these decisions will move forward and become public law with or without our input. Continuous participation in the public process is the foundation cornerstone of our democracy.

VIII. Audience comments/question and answer:

1) (Fishermen) How big of an area are we talking about?

Answer (Jud Crawford, CLF): It is impossible to give a number because size varies with the goal, bottom type, number of species being protected, etc. We are talking bigger than an acre.

(Fishermen): A 10 sq. mile area closed on coast of Maine will cause problems. Once these areas are out there, you won't take them away

2) (Fishermen2): Government agencies and environmentalists are great regulation implementers, but not good stewards. Ex. Parks on land and fire management. Get it right on land before filling the oceans with these areas. We don't have a choice if we trust agencies and environmentalists. They are not taking care of the public interest. Closing more areas is counter-productive. We already have NMFS closing areas. It creates undue stress to talk about closing more and more.

(Jud Crawford): Comment—Rolling closures may not have real value to habitat and can be worse than no closure at all in some cases. Not necessarily the same as a closed area.

- 3) (Kate Smuckler-NOAA MPA Center): Has there been an effort to integrate existing management [*of already closed areas*]? Are the red boxes [*the areas ranking as good candidates for MPAs on CLF maps*] the result of current management? [*i.e. have existing closures and existing mgt. been successful in improving stocks or habitat condition thereby allowing these areas to be the most ecologically important?*] If so, is existing management given credit for this?

(Jud Crawford—CLF): It doesn't make sense to make plans without considering existing plans. Need integration of approaches. We won't be putting a plan on the wall [proposing certain areas/closures]. We will go out to the public to find out what's here, how to integrate current management. This requires involvement of other people

(John Williams): Everyone treats MPAs as if it is a new concept. We have been using and creating MPAs for a long time. We are now, however, learning how to think about this in a different fashion. We now need a more comprehensive approach.

- 4) How does CLF's work mix with the National MPA Advisory Committee, MPA Center, etc. How much are different people talking to each other?

(Jud Crawford): CLF is looking for opportunities to do that. Well-established contacts between CLF and George LaPointe. Also do talk with Richard Taylor.

- 5) Is George serving as a representative to state agencies and to the region on this committee? Is there an expectation that he brings information from the region into their process?

- 6) (Kate Smuckler, NOAA MPA Center): Introduced herself. Northeast Regional Coordinator for the MPA Center. The center is looking at MPA and MMA inventories. She is looking at how the MPA Center can be most helpful to this region.