

MPA News

International News and Analysis on Marine Protected Areas

Tortugas Working Group Gets Consensus on Reserve, Is Challenged by Anglers

The working group of Tortugas 2000 — a year-long collaborative process to create an “ecological reserve” in the Tortugas region of the Florida Keys National Marine Sanctuary (FKNMS) — reached consensus in May on the recommended boundary for a zone in which all consumptive activities would be prohibited. Subsequently approved in June by the official advisory council of the Sanctuary, the recommended reserve is currently undergoing a draft supplemental environmental impact statement, due this October.

While the proposal makes its way through the bureaucratic process, working group members — representing an array of stakeholders — are waiting to see how well the consensus will hold up. The Florida Keys have a history of difficulties in adding preservation to the Keys’ mix of multiple uses: the Tortugas 2000 process itself was an FKNMS response to its own unsuccessful attempt in 1995 to declare another reserve in the same general area. Sanctuary officials hope that history won’t repeat itself, but one sportsmen’s group that was not involved in the Tortugas 2000 process has already declared the proposed ban on all fishing in the reserve to be “unwarranted and unacceptable,” and has threatened legal action to block it.

The Recommendation

The coral-rich Tortugas region is at the western-most end of the Florida Keys. The recommended ecological reserve, as selected by the Tortugas 2000 working group from among a dozen alternatives, would consist of two areas, Tortugas North and Tortugas South. Both areas would be no-take zones, with bans on commercial and recreational fishing, mining, and all other consumptive activities. Diving would be allowed in most areas, according to FKNMS officials. The reserve would be 635 km²; in comparison, the FKNMS is about 7800 km².

Of the alternatives the working group examined, the preferred one was among the smallest. Nonetheless, said Science Coordinator Ben Haskell of FKNMS, “It was selected because it achieved a balance between capturing significant habitat and resources while not seriously impacting any one user group.”

The Tortugas habitat, according to the working group’s scientific reports, is critical as a source for marine organisms whose larvae are transported from this region to the rest of the Keys. Research indicating that several reef species throughout the Keys were overfished and anecdotal reports of increased fishing pressure were additional considerations in the working group’s decision making.

As described by the working group in its June staff position paper, the Tortugas Ecological Reserve will protect biodiversity around the Tortugas, maintain ecosystem integrity, and act as a reference site to help scientists discriminate between natural versus human-induced changes to the Keys’ ecosystem.

The Working Group

At the core of the planning process was the 25-member working group, composed of stakeholder representatives, eight Sanctuary Advisory Council members, and federal and state government representatives with resource management authority in the Tortugas area. (Notably, the boundaries of the recommended reserve are not wholly

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contained within FKNMS, so other federal and state entities with jurisdiction of the involved waters will have to approve the plan as well. These include Dry Tortugas National Park, the Gulf of Mexico Fisheries Management Council, and the state of Florida. Representatives of each of these were on the working group.)

Among the stakeholder representatives on the working group were commercial and charter fishers, divers, scientists, NGOs, and other concerned citizens. In large part, FKNMS convened the group in an attempt to succeed where its past attempt at establishing a Tortugas reserve had failed. The Sanctuary's 1995 plan to create what it called a "replenishment reserve" in the area was strongly opposed by commercial fishermen who criticized the proposal for not protecting the right habitat and unduly harming the fishermen; as a result, the Sanctuary decided to re-examine it. For Tortugas 2000, the idea was for FKNMS to work with the fishermen and other groups to create a plan with which everyone could agree.

"The commercial fishermen knew that we had listened to them in 1995, and that we would come back to them for input," said FKNMS' Haskell. "The title of the process —

Tortugas 2000 — put people on notice that we intended to have a reserve in place by the year 2000. The train was already running down the track, so to speak, and they realized they needed to climb on." Haskell added that fishing groups' interest in protecting spawning sites had likely also helped to bring fishermen onboard.

Working Through Challenges

Nonetheless, there were challenges in putting together the working group and getting it to work. Mike Eng, the group's facilitator from NOAA's Coastal Services Center, said that the first challenge came in getting participants to trust the process. "There was still a lot of animosity from some interest groups toward the Sanctuary, left over from the original process," he said. "It was also difficult to balance the various interests. Progress came through building agreements very slowly and continuing to build on them. Size, location, and allowable activities were all open to discussion."

Said Haskell, "It's important to get the right people at the table from the get-go who are respected in the community and in the organizations they represent." He and Eng found it difficult to recruit representatives from the recreational fishing industry, which was skeptical of the reserve idea; only one attended the meetings — John Brownlee of *Saltwater Sportsman* magazine. "He's just one voice in a pretty diverse industry," said Haskell of Brownlee, who joined the consensus.

Threat of Legal Challenge

Eng said the working group members seemed to appreciate the experience. "I think it was a transformational process for them," he said. "I don't think they'd experienced such a participatory process before, and they liked it for the most part. They felt their concerns were being respected."

He added, "At the same time, there was concern that this is not the way the political world usually works." He said that members were concerned that as soon as the working group dissolved, infighting would begin again. "The members informally vowed they would not try to whittle down the agreement," he said. "It remains to be seen whether that will take place."

The first test of the consensus has come with the threat of a legal challenge from the Wildlife Legislative Fund of America (WLFA), an organization reportedly representing 1.5 million anglers, hunters, and trappers. The WLFA sent a letter on June 10 to Secretary of Commerce William Daley suggesting that the proposed curbs on recreational fishing would be "a first step toward restricting angling access to public waters without any conservation basis." The organization threatened to sue to block any such ban on recreational fishing.

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Planning Tips from Tortugas 2000

The following tips for planning an MPA were assembled by *MPA News*, based on a conversation with Mike Eng, the facilitator of the Tortugas 2000 process:

Good data: Make sure your planning group collects the best (i.e., scientifically based and verifiable) information available about the site, including on its ecosystem, use patterns, and socio-economic values. In this way, not only are you basing your decisions on good data, but everyone works with the same numbers. Tortugas 2000 continually incorporated updated information from scientists as it was generated.

Consensus: Making decisions by consensus allows people to relax and feel confident that their interests will be represented.

Lines can polarize: Try to delay the drawing of boundary lines on a map. Lines tend to polarize stakeholders. Instead, focus on the criteria you hope to meet with your MPA. Once there is agreement on criteria, lines can be drawn.

“Learning by Doing,” Canada Adds Pilot MPAs and Looks Long-Term to Zone National Waters

Building an ambitious national MPA program from the ground up, Canada’s Department of Fisheries and Oceans (DFO) has established six “pilot MPAs” in the past year and has plans for more soon. With an adaptive approach that emphasizes scientific research and the testing of protection strategies, DFO seeks to “learn by doing”: through its pilots, it will determine whether the areas should be formally designated as MPAs and how they can best be managed, say officials.

DFO assumed responsibility for coordinating the nation’s marine protected area programs in 1997 with the launch of Canada’s Oceans Act, and it has moved quickly since then to set aside coastal and deepwater sites. Four pilot MPAs now exist on the West Coast (Race Rocks, Gabriola Passage, Endeavor Hot Vents, and Bowie Seamount) and two off the Maritimes on the East Coast (Basin Head and Sable Gully). Of these six, Basin Head is the newest, announced in June. DFO officials in Newfoundland, Quebec, and Canada’s Arctic are expected to announce pilot MPAs in their respective areas in the coming year or two. Draft management plans for the existing pilot MPAs could be ready by early next year.

But despite the swiftness with which the government is naming pilot MPAs, what may be most remarkable about its effort is its long-term goal: to use MPAs as one element in the creation of integrated zoning plans for much of Canada’s marine environment.

Integrated Management

The Oceans Act established a national framework for the identification and management of MPAs, and each regional office of DFO is charged with refining that framework to suit local marine conservation and protection needs. As a result, each region has pursued its MPA efforts differently, involving provincial government officials to various degrees. The British Columbian provincial government, for example, has helped spearhead the West Coast efforts, having initiated plans to develop a network of West Coast MPAs in the early 1990s, predating the Oceans Act.

The regions have adopted similar tactics, however, in soliciting the involvement of community-level groups and individuals in the planning of the MPAs. Integrated management is the buzzword in DFO’s efforts, not only for naming future pilot areas but for the long-term goal of ocean zoning as well.

While the West Coast’s four pilots arose mostly from pre-existing government interest in protecting those sites, MPA Manager Julie Barr of the West Coast DFO said future MPAs would rely much more on community input. “Pilot MPAs will be created in a formalized way with a wide range of stakeholders discussing zoning,” she said, adding that DFO is placing its faith in the integrated

Marine Protected Areas Under the Oceans Act

Under the Oceans Act, Canada’s Department of Fisheries and Oceans has become the newest partner in the nation’s marine protected area efforts. Parks Canada and Environment Canada have developed programs to protect those aspects of the marine environment that fall within their mandates. For more information:

Parks Canada web site:
parksCanada.pch.gc.ca/nmca/nmp_e.htm

Environment Canada (Canadian Wildlife Service) web site: www.cws-scf.ec.gc.ca/hww-fap/nwambs/nwambs.html

management process. “We don’t know yet what the end products of an integrated management process will be, but it is anticipated that MPAs will be one outcome. DFO’s role will be to present the best information that it can, and to be involved in the negotiation process as much as anyone else.” Each pilot MPA will have its own stakeholder group.

Future of Canada’s Marine Planning

In the Maritime provinces, community liaison staffers have been presenting the Oceans Act’s objectives and programs to local groups. “By working at the community level, [the ideas for] additional sites are starting to come forward which may be of interest to the MPA program in the future,” said DFO’s Derek Fenton.

In what will likely serve as a benchmark for the rest of Canada’s offshore area, DFO’s Maritimes region last December began directing a project to develop an integrated management plan for all activities on the entire Eastern Scotian Shelf, of which the Sable Gully pilot MPA is a part. The Scotian Shelf features great biological diversity and multiple ocean uses, including oil and gas drilling, fisheries, shipping, tourism, and scientific research. All stakeholder groups will be involved in the development of common objectives and goals. The management plan is not expected to be completed for several years, but already points the way for the rest of the nation in terms of marine zoning.

The West Coast DFO’s Barr said her region anticipates creating a similar integrated plan for its whole marine area. “We’re really looking at creating an entire water use plan, of which MPAs will be one part,” she said.

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Australia Continues MPA Push: Officials Announce Plan for World's Largest No-Take Zone

Continuing its designation of national MPAs at a scale unmatched by other nations, the Australian government's latest endeavor will establish the world's largest no-take zone for commercial fishing, according to national officials.

The Australian government intends to declare a massive marine park around Macquarie Island, southeast of Tasmania in the Southern Ocean, that would span 16 million hectares (160,000 km²), of which nearly a third would be a no-fishing area. Announced in late June of this year, the plan to create the marine park will add yet another site to the country's fast-growing system of major marine ecological regions protected by law. It follows closely on the heels of Australia's designation of other MPAs, including last year's establishment of the Great Australian Bight Marine Park and this year's Tasmanian Seamounts Marine Reserve.

The Macquarie Island plan is undergoing a 60-day comment period, ending in August; following this, the park is expected to receive its official declaration. The government's commitment to an accelerated program of MPA declarations has been driven by Australia's National Oceans Policy, launched last December. Among the law's sweeping goals for protecting the marine environment was a call for a network of marine protected areas to represent Australia's wide diversity of marine ecoregions.

Precautionary Principle

The Macquarie Island Marine Park will include waters stretching from three miles off the eastern coast of Macquarie Island to the outer edge of Australia's EEZ. The island — 34 km by 5 km, and roughly equidistant from Tasmania to Antarctica — is already listed as a World Heritage Area and a Tasmanian Nature Reserve. Featuring unusual geological formations and a relatively harsh environment, it offers a rare breeding ground in the Southern Ocean for pinnipeds and seabirds, which reside there in abundance (more than 100,000 seals and 3.5 million birds). Several resident species, including seals and penguins, are listed as endangered or otherwise vulnerable according to Australian law or IUCN criteria.

The island's surrounding waters' role as feeding grounds for these species was a factor in the government's decision to create the protected area, as well as to establish a 5.7 million hectare (57,000 km²) "Highly Protected Zone" within it, where all fishing and mining activities will be prohibited. This zone, which Australian officials claim is the largest of its kind in the world, will comprise the southeast corner of the park and extend 100 m below the ocean floor. The remainder of the park will serve as a "Species/Habitat Management Zone" in which mining will be prohibited but some commercial fishing will be allowed.

The restrictions will likely have little immediate impact on human activity in the region, as there is no mining activity occurring there presently and just one fishing vessel has ever been recorded fishing the waters (a trawler that has visited the island each summer since 1994). Tourism levels to the island are low as well, according to official reports. Nonetheless, the government cited a general lack of scientific understanding of wildlife feeding behaviors and the effects of fishing on these behaviors as reasons to take a precautionary stance toward humans' consumptive activities in the region. The park creation plan calls for analyses of the region's benthic ecology and options for sustainable fishing practices in the area.

Tasmanian Seamounts Also Protected

In May, Environment Minister Robert Hill announced the proclamation of Australia's first exclusively deep-sea MPA, the Tasmanian Seamounts Marine Reserve. Located 170 km south of Hobart in the Southern Ocean, the reserve will protect unique and vulnerable seamount flora and fauna within an area of 37,000 hectares (370 km²). The site includes 70 submerged and extinct volcanoes in water between 1000 and 2000 meters deep.

Similar to Macquarie Island's proposed Highly Protected Zone, the deepwater seamount area will be off-limits to fishing and mining. According to government officials, the seamounts have never been trawled. Fishing will continue in surface waters above the seamounts, however.

Last year, the Australian government announced the creation of the Great Australian Bight Marine Park, located off Australia's southern coast. The Bight is the world's second largest marine park (2.3 million hectares, or 23,000 km²), exceeded only by Australia's Great Barrier Reef, at 350,000 km². In comparison, the largest marine sanctuary in the United States of America is Monterey Bay National Marine Sanctuary, which measures 12,400 km².

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Web Site on Australian MPAs:

www.environment.gov.au/marine/frameset/publications/fs_publications_main.html

The above web site has links to Australia's Oceans Policy, the proposed Macquarie Island Marine Park, the Tasmanian Seamounts Marine Reserve, and the management plan for the Great Australian Bight Marine Park.

West Hawaii Council Approves Fish Management Areas

A West Hawaii working group approved in March the proposal for a network of fish replenishment areas (FRAs) in which aquarium fish collection would be prohibited. In an attempt to end a longstanding feud between dive tour operators and fish collectors on the west coast of the island of Hawaii, the multi-stakeholder group voted to set aside a total of nine FRAs, representing 35% of the 150-mile (240 km) West Hawaii coastline.

Aquarium fish collectors boycotted the vote, insisting they had been assured the percentage would be no more than 30% of the coastline. They will be required to abide by the decision, however, which will be incorporated in the state's administrative rules.

Dive tour operators had argued since the 1980s for limitations on collectors, and in 1996 the Hawaii Department of Aquatic Resources helped to establish a West Hawaii Reef Fish Working Group to develop a management plan for regulating the industry. More than 70 members of the West Hawaii community and six state officials were involved in the working group, which met over 15 months. It was during this period that researchers at the University of Hawaii - Hilo gathered significant evidence that the populations of several of the collectors' target species of aquarium fish (e.g., tangs and angelfish) were in fact suffering declines related to collecting.

Acting in conjunction with the working group, the state legislature passed a law in 1998 declaring that a minimum of 30% of West Hawaii coastal waters should be set aside as FRAs, leaving the placement and exact percentage for the working group to decide. The target percentage was based on contemporary research of reef fish by several biologists, who had suggested that in the absence of management in neighboring fished areas, reserves should be established to represent at least 30% of the shelf.

Once the 30%-minimum figure was set, two issues arose. Collectors felt betrayed, insisting they had been promised the 30% figure and no more, while some diving-oriented communities reportedly attempted to cluster what was viewed by others as a disproportionate share of the FRAs. In the end, the working group distributed the FRAs relatively evenly along the length of the coast.

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Conference Calendar

10-13 Aug. 1999 — Moncton, New Brunswick, Canada. "New Tools, New Approaches for the Sustainable Management of the Marine Environment." Organized by the Department of Fisheries and Oceans, Canada. Web site: www.gfc.dfo.ca/communic/colloque/overview-e.html.

7-11 Oct. 1999 — San Remo, Italy. "Seventh International Conference on Artificial Reefs and related Aquatic Habitats." Web site: www.soc.soton.ac.uk/SUDO/DEPT/7CARAH/7carah.html.

7-12 Nov. 1999 — Fiji. "Oceans in the New Millennium: Challenges and Opportunities for the Islands." Organized by the International Oceans Institute. Web site: www.usp.ac.fj/oi.

1-3 Dec. 1999 — Anchorage, Alaska, USA. "Fifth North Pacific Rim Fisheries Conference." Topics will include declining species and management implications. E-mail: Fisheries.ION@alaskapacific.edu.

Don't miss our upcoming science issue

The developing science of marine reserves in fisheries management has recently hit the pages of major scientific journals, sparking lively debate on the reach of these findings. *MPA News* will sort out what's known, what's not, and what's to come.... Plus, don't miss our survival guide to MPA nomenclature, and more news and analysis from the world of MPAs.

Welcome to MPA News

Welcome to the premier issue of *MPA News*, a monthly report of news, views, and analysis on marine protected areas. We are pleased to launch it at the Coastal Zone '99 conference, where the fast-growing role of MPAs in coastal and marine policy is in the spotlight.

In a field of dozens of newsletters narrowly focused on individual sanctuaries and MPA programs, *MPA News* is different. Reporting news, analyzing trends, and drawing lessons from MPA experts around the world, its goal is to provide readers with resources to help them do their jobs more efficiently and effectively. *MPA News* will do so with timely analysis and tips, a concise style, and a cross-sectoral approach.

We are excited to be covering such a burgeoning field that has so many questions still unanswered, including MPAs' role in fisheries management. We look forward to discovering MPAs' strengths, weaknesses, and possibilities as they unfold, and sharing what we find with our readers. Perhaps we will even provide a forum for debate.

MPA News is here to serve the MPA community, informing people and bringing them together. Let us know how we're doing. And if you'd like a free subscription, please follow the directions below. Thank you.

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