

Balancing Ecology and Economics: Viewpoints on the Process of Planning an MPA Network for SE Australia

In May 2006, the Australian Government released its final plan for a representative network of MPAs in the country's South-east Region, comprising a proposal for 13 new MPAs in Commonwealth waters. Totalling 226,000 km², the MPA network is substantially larger than a proposal the government released in December 2005 (171,000 km²), yet reportedly will have a 90% lower impact on commercial fisheries. The Government has now begun a statutory process to have each MPA designated as a Commonwealth marine reserve, expected by the end of 2006.

The proposed MPA network has received strong support from the commercial fishing sector and the offshore petroleum industry, both of which will be allowed to operate in parts of the network. Conservation organizations have given it mixed reviews, accusing it of providing inadequate coverage of some of the most biodiverse areas.

Roughly 43% of the network will be strictly off-limits (no-take) to all fishing and other extractive activities. A further 36% will be closed to commercial fishing but open to recreational fishing and other activities. The remainder will allow for multiple uses with the exception of demersal trawling, scallop dredging, mesh netting, and Danish seine methods of fishing. Exploration and drilling for oil and gas, as well as seabed sequestration of carbon dioxide emissions, will be allowed in all but the strict no-take areas. Planners anticipate that the no-take zones could be expanded on an adaptive basis if areas are found to be non-prospective for oil and gas development.

The plan is the result of five years of work by the Australian Department of Environment and Heritage (DEH), which has engaged in extensive study and consultation with scientists and stakeholders ("Mixing Oil and Water, Part II: The Offshore Oil & Gas Industry and MPA Planning", *MPA News* 5:11). The South-east network will be integrated with a national program to reduce fishing effort, including a license buyout initiative (*MPA News* 7:7).

In light of the fact that the South-east Region is the first to undergo a region-by-region process of establishing a national representative system of MPAs for Australia by 2012, *MPA News* asked DEH, scientists, and represen-

tatives of key stakeholder groups to comment on the planning process, including lessons learned from it. Their replies are below. While the recreational fishing and marine tourism sectors were consulted during the process, they are not included here as they were not actively involved in the development of MPA proposals.

Leanne Wilks, Assistant Director, Marine Protected Areas Taskforce for the Australian Department of the Environment and Heritage (DEH)

• On crafting the final plan:

There are clearly constraints imposed on MPA design by established rights and commercial activities, especially in shelf waters. For this reason, one of the overriding goals in developing the MPA network was to achieve biodiversity conservation objectives while seeking to minimize impacts on marine resource users where possible.

The Australian Government identified the MPAs in this network using scientific specifications and the best available scientific knowledge. These specifications included guidance on how, and how many, significant features like canyons and seamounts should be included, and how boundaries should be designed to make compliance and management effective.

The final proposal is based on these scientific specifications and information, as well as consultations with stakeholders. The Government made around 20 changes to boundaries and zoning based on stakeholder inputs. These changes did not compromise the overall representation of geomorphic features and bioregions, as in every case it was possible to avoid key areas of industry activity by finding alternative features elsewhere in the region.

Compared to the December draft MPA proposal, the final proposal in fact achieved increased representation of critical features for biodiversity conservation. For example, the area of shelf increased from 4.7% to 7.5% and seamount coverage increased from 64% to 81%.

Although the final network does have some weaknesses in terms of representation of the shelf and upper slope, MPAs are not the only management tool for

For more information on the South-east network plan

Information and maps on the South-east MPA network plan, which includes waters off Tasmania, Victoria, eastern South Australia, and far southern New South Wales, are available at <http://www.deh.gov.au/coasts/mpa/southeast/index.html>.

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Editor-in-Chief

John B. Davis

Project Assistant

Maggie Ost Dahl

Editorial Board**Chair** - David Fluharty, Ph.D.
U.W. School of Marine Affairs

Patrick Christie, Ph.D.

U.W. School of Marine Affairs

Michael Murray

Channel Islands National
Marine SanctuaryDirect correspondence to: MPA
News, School of Marine Affairs,
University of Washington, 3707
Brooklyn Ave. NE, Seattle, WA
98105, USA. Tel: +1 206 685 1582;
Fax: +1 206 543 1417; E-mail:
mpanews@u.washington.edu

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biodiversity conservation in these areas. The MPAs are being implemented alongside recovery plans for listed species and extensive fisheries management area closures to protect habitats and species, as well as environmental regulations on oil and gas activities.

- **On lessons learned from the planning process:**

This is the first time we have attempted to develop a representative network of MPAs across a large-scale marine region of around 2 million km². Accordingly, every step in the process offered lessons in stakeholder engagement, MPA design techniques, and how best to use the available information.

One of the key challenges was working with limited information in a remote and deepwater marine environment. Stakeholder acceptance of the bioregions and geomorphic features as surrogates for [characteristic] marine life was critical to the MPA design process. Because the level of scientific certainty to design MPAs for different habitats and organisms will not be available for decades (if ever), the use of surrogates for biodiversity conservation will be a critical area for scientific research and application in other planning regions. We will be undertaking a review of our approach in the South-east and ensure that we continue to improve the design of MPA networks in other regions in Australia.

- **On the plan's allowance of carbon sequestration and oil/gas exploration and drilling in some of the MPAs:**

There is a real gap between actual and perceived threat for these activities. The South-east Region is critical to meeting Australia's energy needs, both in terms of existing developments and investment in areas of high prospectivity. The establishment of large MPAs requires creative policy solutions that do not foreclose on oil and gas exploration and development. Part of that policy approach is a staged and adaptive management regime that will seek to reassign multiple-use areas to "no-take" status (IUCN category 1a) if geoscientific evidence shows the area is likely to remain non-prospective for oil and gas development and sequestration of carbon. These potential, future no-take areas (zoned "multiple use zone B" for the time being) comprise around 36% of the network and are already closed to commercial fishing.

Kate Davey, Director, Australian Marine Conservation Society

- **On comparing the Government's December proposal and its final plan released in May 2006:**

The Australian Marine Conservation Society (AMCS) believes that, in order to maintain ecosystem processes and their connectedness, a marine park network should adequately protect all habitat types, biodiversity hotspots, and those areas most threatened by fishing, mining, or other human impacts. To achieve an

adequate level of protection in an environment that is heavily exploited, an MPA network must offer a higher level of protection where those threats occur.

However, the proposed MPA network in the South-east provides very limited protection (in both size and level) for the continental shelf, upper slope, and canyons, despite these being intensively fished and mined, biologically rich, and home to threatened and protected marine species. In contrast, the network offers a relatively high level of protection over the abyssal plain, where there is virtually no fishing or mining.

While marine park planners should aim to minimize the impacts of biodiversity conservation measures on marine industries, to do so at the expense of sound biodiversity conservation outcomes, as has occurred in this case, is to risk undermining the basic integrity and premise of marine parks themselves. Unfortunately, the politics of fishing and mining have largely overridden our need to establish networks of high-quality "no-take" areas across southeastern Australia, one of this country's most heavily impacted marine regions.

- **On the role of science:**

The design and selection of any marine park system should be strongly guided by clear scientific conservation targets that address the issue of "adequacy". These targets need to include minimum levels of no-take protection and the targets should be prepared by an independent scientific panel. This was achieved during Australia's rezoning of the Great Barrier Reef Marine Park ("Australian Parliament Passes Re-Zoning Bill...", *MPA News* 5:10) but this approach was unfortunately not mirrored in the South-east.

- **On lessons learned:**

In the future, AMCS will avoid being involved with stakeholder-driven negotiation processes that seek to achieve stakeholder-agreed outcomes without conservation targets being set upfront. Unfortunately, it is seldom possible for differing stakeholders to come to an agreed compromise without scientists outlining the conservation targets. Government needs to show strong leadership in the design and selection of MPAs and not rely on stakeholders to negotiate the hard conservation decisions. The short-term economic imperatives of the fishing and mining industries mean that it is very difficult for them to be objective.

- **On management of the planning process:**

There was significant uncertainty in the process due to the slippage in timelines and a lack of clear conservation targets or dedicated industry restructure package to work with. This resulted in significant stakeholder frustration, burnout, and loss of faith in the process over the five or so years that it has taken.

However, many of the Government officers genuinely worked hard to achieve good stakeholder relationships

and engagement. One of the most practical examples of how the Government ensured good stakeholder involvement was through resourcing: the Government provided much needed funds to the conservation sector to be involved in the marine park planning process. Given the protracted nature of the project, these funds were essential in assisting the sector to remain involved.

Peter Franklin, Chair, Australian Seafood Industry Council Working Group on Marine Protected Areas

• On comparing the Government's December proposal and its final plan released in May 2006:

The final plan significantly improves conservation outcomes (in terms of shelf coverage, number of seamounts incorporated, and total network area) while reducing the impacts on commercial fishers by over 90%. This supports the view that the December proposal was hastily put together and that particular aspects were poorly considered, particularly in terms of their potential impact on several important commercial fisheries and coastal communities.

From an industry perspective, the factors that helped achieve such an improved outcome included:

1. **Information:** The Tasmanian Aquaculture and Fisheries Institute (TAFI), supported by the Fishing Industry Research and Development Corporation, immediately initiated a study to identify and quantify the socioeconomic impacts of the December proposal. The TAFI study also identified a set of alternative areas that addressed the broad conservation objectives while minimizing the level of economic and social dislocation. Throughout the process, industry stressed the need for a robust socioeconomic analysis of the potential impacts and supported the work undertaken by TAFI.
2. **Industry commitment and unity:** The industry, under the umbrella of an Australian Seafood Industry Council Working Group, presented a unified and well-considered position on each issue that arose in the process of developing the final MPA network. This process enabled industry to work constructively with TAFI to identify and assess opportunities to develop an improved network. It should be acknowledged that a critical element in this process was the high level of performance by the industry liaison officer, who was funded by the Department of Environment and Heritage.
3. **Flexibility:** A key factor in the final outcome was the preparedness of all levels of government to consider alternative proposals, particularly those that offered the prospect of improved environmental outcomes and reduced socioeconomic impacts.

While the fishing industry has some minor reservations about a few of the MPA boundaries, these concerns are

at the margin. Overall, the industry considers the final network to be a balanced and rational outcome. However, there remain several important issues that have yet to be resolved. Final judgment will need to await the resolution of these issues, including the level of compensation to be provided to affected fishers; how the network will be managed and funded, particularly regarding access by fishers to multiple-use areas; and a range of associated surveillance, monitoring, and compliance issues.

• On challenges faced during the planning process:

The greatest challenge we confronted was in understanding and dealing with concerns about particular fishing methods and fishing activities. Industry's perception was that the Department of Environment and Heritage approached the development of the network as an opportunity to impose additional controls on the fishing industry based on perceived shortfalls in fisheries management, rather than limiting its activities to identifying and protecting significant and unique conservation values. Industry's strong view is that issues associated with the sustainable management of Australia's fish stocks should remain the prime responsibility of Australian Fisheries Management Authority and should be dealt with in that context.

The industry also struggled to fully appreciate the constraints imposed by the preeminent position given to the interests of gas and oil exploration and development. Effectively, all current and prospective gas and oil lease areas were off-limits as far as the development of a South-east MPA network was concerned. Our understanding was that this was due to the economic and social significance of these areas and the potential implications for Australia's future energy security of locking up large areas of current or potential significance in an MPA network. Had this been more explicit from the outset and had the geographic constraints imposed by these considerations been better defined, it would have been possible to focus more directly on the areas that were realistically available for consideration as possible components of the MPA network.

• On lessons learned:

1. Understand the conservation objectives and the criteria by which fishing activities are to be assessed.
2. Ensure all industry stakeholders are effectively engaged and motivated. An effective industry liaison officer and industry working/coordinating group are essential.
3. Stay engaged and participate in a constructive and positive manner.
4. Do your homework and ensure that industry positions are well-researched, justified, and presented.
5. Ensure that the socioeconomic and conservation implications of all proposals are fully researched and understood.

continued on next page

6. Respond to threats and opportunities in a timely and unified manner.
7. Develop and execute an effective communications strategy, and ensure all key politicians are kept briefed and informed.
8. Maintain liaison with other industry groups likely to be affected by the MPAs and key conservation interests.
9. Ensure that fundamental issues such as compensation are resolved before negotiations on boundaries and access classifications commence.

Mark McCallum, Director of Industry Operations, Australian Petroleum and Production Exploration Association (APPEA)

- On comparing the Government's December proposal and its final plan released in May 2006:
APPEA believes that the representative system announced in December 2005 struck an appropriate balance where industry operations could sit comfortably with the protection of our unique marine assets. However, following the release of that proposed system, discussions between APPEA and representatives of the fishing industry, WWF Australia, and Australian Government delivered an even better conservation outcome, without increasing the socioeconomic costs of the system. APPEA accepts and endorses the changes proposed by the fishing sector and WWF Australia that have significantly expanded the area of on-shelf coverage of the network, covered new bioregions that were not included in the original network, and resulted in a substantial increase in total network area.
- On the plan's adaptive approach to MPA designation:
More than 90% of Australia's oil and gas occurs in the Commonwealth's offshore waters. In developing a representative system of MPAs, APPEA sought to identify areas that would meet the Government's conservation objectives while limiting the operational impacts of the process on the industry's interests. This was not always possible in the face of the uncertainty of petroleum prospectivity: i.e., we just don't know where all the oil and gas is or will be. As such, APPEA applauds the pragmatic policy developed by the Government in this knowledge-poor environment — that of a staged and adaptive approach. Through this approach, larger multiple-use representative reserves were identified that provided for oil and gas exploration and production, subject to the appropriate approvals, licenses, and permits. Over time, the prospectivity of these areas can be finalized and the environmental values accurately assessed. It will then be possible to make an informed assessment of re-classifying these regions into zones with higher levels of protection.

• On the challenges faced:

APPEA has long recognized that there are iconic regions where the conservation values are such that it would be hard for industry to demonstrate the case for access without compromising conservation values. In Australia, these include areas like the Great Barrier Reef Marine Park, the Ningaloo Reef, or the ancient stromatalites of the Shark Bay World Heritage Area. What confuses us is those who measure the success of a protected area network by what arbitrary percentage of the environment can be locked away for all time or by how much the proposal can hurt sectors such as fishing, tourism, or oil and gas. The success of an MPA should be judged on a case-by-case basis of what the conservation values are that need protecting, and ensuring that activities in the MPA are managed to avoid compromising those conservation values.

Communicating our track record of environmental management and our case for access was a challenge throughout the process. This could be because of preconceived notions of the environmental impacts of the industry. Australia's oil and gas industry strives to ensure that conservation is not unduly threatened by our activities through the commitment to mitigation strategies that minimize our ecological footprint and avoid (wherever possible) sensitive and high-value habitats.

Another challenge was to explain the complex regulatory regime that applies to all oil and gas projects, which can be subject to five or more separate ministerial decisions. In Australia, there are significant government regulatory controls that require the petroleum industry to conduct its activities in a manner that meets a very high standard of environmental protection in all circumstances, be it inside or outside of a protected area. With the recognition that access to all areas is not always possible, industry as a general principle has argued that with its long track record of environmental management in sensitive environments, it should be given the opportunity to make a case on a project-by-project basis to continue to access sensitive environments, including protected areas.

Margaret Moore, Senior Policy Officer-Marine, WWF Australia

- On comparing the Government's December proposal and its final plan released in May 2006:
The December proposal had no connectivity from the freshwater system at the River Murray mouth, across the shelf, down the slope, through the Murray canyons, and out to the deeper marine region. This is now included in the MPA network plan. The Zeehan MPA shelf area has also been expanded — this went in over an oil and gas lease with the cooperation of the company holding the lease. In addition, there are now areas within the

MPAs of “unexplored” potential fishing areas, in particular over some of the seamounts. These will be off-limits to future fishing. WWF certainly prefers this final proposal, while recognizing that the inner and outer shelf, slope, and canyon systems within it still fall short of being a comprehensive, adequate, and representative (CAR) system.

The energy policy constraints were intractable. In some cases where we had agreement from fishing interests, scientists, and agencies, current leases and areas of interest for future prospectivity rendered huge areas of shelf, slope, and basin off-limits to consideration as MPAs. This was very disappointing and impacted on the CAR nature of the MPA system. It may be possible to go back and revisit this over time as oil and gas leases lapse.

• **On quality of scientific data in the planning process:** The scientific advice received by DEH came, on the whole, from well-credentialed scientists with a diversity of opinions. However, it is useful to recognize that in the South-east Region most of the scientific data have historically come from fisheries surveys (mostly funded by industry) — which doesn’t make them of poor or non-rigorous quality but does make them limited in their scope. In contrast, the Great Barrier Reef Marine Park had almost three decades of reef and lagoon data available with which to conduct its rezoning process.

Fisheries-independent surveys will now be conducted across fishing zones as part of the spatial management tools to be implemented by the Australian Fisheries Management Authority (AFMA). Other tools will include temporal and spatial closures for juvenile habitats and spawning aggregations, and gear and depth modification.

• **On management of the planning process:** Given that funds were made available by the Government in November 2005 for a major structural adjustment to the fishing industry, particularly in the South-east Region where most of the overfished species are (“MPA Network is Proposed for SE Australia...”, *MPA News* 7:7), the opportunity was there to bring the two streams together — biodiversity conservation (MPAs) and improved fisheries management — to apply to the remaining fisheries. Bycatch action plans, harvest strategies, closures, gear and depth modifications, and setting of precautionary total allowable catches will all kick in (or in some cases already have) relatively soon.

Managing the two processes has been a huge challenge for the Government, but on the whole it is making progress. What remains to be seen, however, is whether it will meet the obligation and responsibility placed on it by the Prime Minister to (a) turn these unsustainable fisheries around and (b) build on Australia’s national representative system of MPAs. The latter is happening; the jury is still out on the former.


Alan Butler, Chair, Southeast MPAs Scientific Reference Panel; this panel consisted of scientists who helped develop specifications to guide MPA selection

• **On comparing the Government’s December proposal and its final plan released in May 2006:**

This is not easy to answer. The panel’s comments on the December proposal [available online at http://www.amcs.org.au/images/media_images/Peer_Review_Panel_Comments_SEMPAs_Feb_2006.pdf] concerned the extent to which various ecological features or their surrogates were represented in the proposed MPA system. It took us some time and technical analysis to produce those comments and we have not re-done the analyses on the final network. In the absence of formal analyses, my general comment is that the final edition is not very different (in the way it achieves biodiversity aims) from the December edition, but in some areas is an improvement. DEH has managed to incorporate some features that we considered important, while accommodating the fishing industry’s concerns. I should also make it clear that the panel’s brief was only to advise on the representation of biodiversity — whereas DEH had also to balance other (socioeconomic) considerations in making its recommendations to the Minister.

• **On lessons learned:**

If I have one general comment about ways to improve for the future, it is to take a little more time at critical steps in the process, to be a little more confident that all parties are in agreement with — or at least have a shared understanding of — the decisions that have been made. Each of the processes in providing scientific advice (doing analyses, interpreting the results, providing advice, and communicating and discussing it with interested parties, including other scientists) tended to be rushed at key points in the South-east process, due to externally defined deadlines. This limited communication, and thus limited feelings of “ownership”. Although details will be different in other regions of Australia — different data, different analyses, different groups of stakeholders — it will still be worth making sure, at each step, that there is a shared understanding before moving forward.

Having said that, I must also comment that we have really achieved an impressive system of proposed MPAs. We were flying blind, with limited descriptive information and even less understanding of ecological dynamics. The MPA system will need to be managed adaptively into the future as improved knowledge becomes available, but that has been the case with many terrestrial national parks and with the Great Barrier Reef Marine Park. We are making a fine start here. 

For more information

Leanne Wilks

(Leanne.Wilks@deh.gov.au) and **Paul Garrett**
(paul.garrett@deh.gov.au),
Department of the Environment and Heritage, GPO Box 787, Canberra ACT 2601, Australia.

Kate Davey, Australian Marine Conservation Society, PO Box 5136, Manly QLD 4179, Australia. Tel: +61 7 3393 5811; E-mail: katedavey@amcs.org.au
Web: www.amcs.org.au

Peter Franklin, Commonwealth Fisheries Association, PO Box 9022, Deakin ACT 2600, Australia. E-mail: ceo@comfish.com.au

Mark McCallum, APPEA, GPO Box 2201, Canberra ACT 2601, Australia. Tel: +61 2 6247 0960; E-mail: mmccallum@appea.com.au

Margaret Moore, Level 1, 288 Russell St., Melbourne, VIC 3000, Australia. Tel: +61 3 9669 1302; E-mail: mmoore@wwf.org.au

Alan Butler, CSIRO, PO Box 120, Cleveland QLD 4163, Australia. E-mail: Alan.Butler@csiro.au

Notes & News

Report offers lessons learned from network of locally-managed marine areas

An initiative to help locally-managed marine areas (LMMAs) in the Western Pacific develop best practices for planning and management has released a report with preliminary lessons learned from the past five years. Launched in 2000, the LMMA Network consists of 244 sites in Southeast Asia, Melanesia, Micronesia, and Polynesia. The bulk of the report focuses on a subset of these sites — those with the most extensive ecological and socioeconomic data available — and analyzes the role of various factors in the sites' success, including those related to governance, local demographics, economics, and the management team itself.

The analysis found that the factor most important for LMMA success was "leadership". That is, strong support from local leaders for an LMMA leads to higher LMMA success. In contrast, the level of financial investment in a project (beyond a certain basic requirement) was inversely related to LMMA success. According to the report authors, this could be because greater spending per site allows for bringing in more experts, which can take decision-making out of the hands of the community or raise expectations of project outcomes. "While it must be emphasized that these are preliminary findings based on a very small sample size, we have nonetheless found them to be enlightening and look forward to continued data-gathering and analysis," says the report.

The *2005 Annual Report: A Focus on Lessons Learned* also provides country updates and a review of project financials, and is available in PDF format on the LMMA Network website, <http://www.lmmanetwork.org>. The project's *2004 Annual Report*, which provided an in-depth introduction and history of the network (*MPA News* 6:11), is also available there.

Report describes links between faiths and protected areas, and implications for management

Religious faiths have been involved in some of the longest-existing forms of habitat protection, both through preservation of sacred sites and through religious-based belief systems that impact how followers view nature. A new report from WWF and the Alliance of Religions and Conservation (ARC) explores how faiths interact with protected areas, including the opportunities and challenges that sacred areas pose for resource managers. The report synthesizes the attitudes

of several faiths toward habitat conservation, and describes 100 sacred places within protected areas worldwide, including a small number of marine and coastal sites. Fourteen in-depth case studies are included.

"Today the spiritual values of a site are frequently not considered when planning conservation, and conservationists [including protected area managers and NGO staff] often lack the skills or knowledge to deal effectively with sacred sites and the people for whom they are sacred," write co-authors Nigel Dudley, Liza Higgins-Zogib, and Stephanie Mansourian. "Success in co-managing for faith and nature is almost always a matter of developing effective and trusting partnerships between the different stakeholders involved."

The report *Beyond Belief: Linking Faiths and Protected Areas for Biodiversity Conservation* is available in PDF format at <http://assets.panda.org/downloads/beyondbelief.pdf>. The authors intend to follow up the report with tools and specific guidelines on this subject for protected area managers. The subject of faiths and MPAs was also covered in the December 2005/January 2006 edition of *MPA News* ("Sacred MPAs: Where Protected Areas Hold Spiritual Value for Stakeholders, and How This Affects Management", Vol. 7, No. 6).

Report: High-seas fish stocks to collapse unless managers adopt ecosystem approach

The 16 regional fisheries management organizations (RFMOs) responsible for managing living marine resources on the high seas must improve their adoption of precautionary and ecosystem approaches to management — or else risk the widespread, serial collapse of fish stocks, according to a new report. Co-published by WWF and TRAFFIC (the wildlife trade monitoring network), the report describes effective and ineffective practices of various RFMOs and recommends how the organizations can improve. In its discussion of ecosystem approaches to management, the report states how some RFMOs have used fishery closures to protect seamounts from bottom-trawling, or have closed areas prone to high bycatch rates. "Although past performance of most RFMOs has been poor, innovative solutions to common problems have been developed by a few organizations, resulting in a more sustainable approach," says Anna Willock, TRAFFIC's senior fisheries advisor. The report *Follow the Leader: Learning from Experience and Best Practice in Regional Fisheries Management Organizations* is available in PDF format at <http://assets.panda.org/downloads/rfmoreport06.pdf>.

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Thanks to all of you who have responded to the survey so far. We will report the results in our July 2006 issue.

Sincerely,
John B. Davis, Editor

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