

**Eastern Shore Islands Area of Interest Advisory Committee**

**Meeting Summary**

September 13, 2018 – Ship Harbour, NS

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| **Participants** |
| *In Attendance* |
| **ORGANIZATION** |
| Environment and Climate Change Canada - Canadian Wildlife Service |
| Canadian Parks And Wilderness Society |
| Eastern Shore Fishermen’s Protective Association (ESFPA) |
| M’ikmaw Conservation Group |
| Association of Eastern Shore Communities-Protecting Environment and Historical Access |
| DFO - Oceans and Coastal Management Division (OCMD) |
| Oceans North |
| NS Department of Fisheries and Aquaculture (NSDFA) |
| Wild Islands Tourism Advancement Partnership |
| DFO - Science |
| DFO - Aquaculture |
| DFO – Policy & Economics |
| Dalhousie University |
| NS Federation of Anglers and Hunters |
| Dalhousie University |
| DFO - Conservation & Protection |
| Acadian Seaplants Ltd. |
| NS Seafood Alliance |
| Musquodoboit Harbour & Area Chamber of Commerce |
| Sheet Harbour & Area Chamber of Commerce |
| NS Salmon Association |
| Halifax Regional Municipality |
| Eastern Shore Forest Watch Association |
| Groundfish Enterprise Allocation Council |
| Aquaculture Association of NS |
| Association for the Preservation of the Eastern Shore |
| *Regrets* |
| **ORGANIZATION** |
| Transport Canada |
| Native Council of NS |
| Maritimes Aboriginal Peoples Council |

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| ***Meeting Objectives*** |
| 1. Establish Committee membership and develop a mutual understanding about how the Committee will function, including review of Terms of Reference. 2. Provide an overview of the MPA establishment process. 3. Review progress to date and discuss next steps for the coming months. 4. Provide opportunity for membership to share perspectives. |

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| ***Agenda Items and Corresponding Discussion Notes*** | | |
| 1. | **Opening Remarks and Introductions** | Wendy Williams |
| **Highlights/Outcome**:  Wendy Williams (Chair) opened the meeting and welcomed all participants. | |
| 2. | **Eastern Shore Islands Area of Interest Overview** | Tanya Koropatnick |
| **Highlights/Outcome**:  A presentation was provided explaining how the Eastern Shore Islands Area of Interest (ESI AOI) was selected, a summary of work done on the site to date, and an overview of immediate next steps and work in progress.  **Discussion**:   * Concerns were expressed about national-level marine conservation planning, including the potential for expansion beyond the 10% (of marine space protected in MPAs by 2020) target after it is reached, and the potential impact of the expert panel recommendations on the ESI AOI process. * Concerns were expressed about the perception that the fishery needs further restrictions. Fishermen are generally opposed to unsustainable activities, and the fact that the area remains relatively natural is evidence that they have been doing a good job up until now. If the focus is really to limit industrial expansion, then messaging about the potential benefits of the MPA should include protection of the fishery. * Concerns were expressed about the uncertainty being created by the AOI, including the ‘non-committal’ language in the assurances provided by DFO to date on activities expected to continue in a future ESI MPA. Additionally, while it was acknowledged that all the players seem to be at the table, the Advisory Committee is not a decision-making body so there is no guarantee that the Minister will listen to the advice provided. It was observed that if a plan is developed for a future MPA that works for everyone, it would be hard for the government to disregard such a proposal. * Several participants acknowledged the need to involve the community in MPA design and management - a successful MPA needs local input and ongoing involvement. * A question was asked about the difference between Oceans Act MPAs and other marine protected areas. It was clarified that certain other marine conservation measures, including Parks Canada and Environment Canada measures and certain fisheries closures put in place under the Fisheries Act that meet the “[other effective area based conservation measure](http://www.dfo-mpo.gc.ca/oceans/oeabcm-amcepz/index-eng.html)” criteria are also considered marine protected areas from a perspective of counting towards the national targets. * A question was asked about how a future ESI MPA can help salmon if it doesn’t go into the rivers, and more generally how can an MPA help against land-based industrial activities? It was explained that the MPA would provide complimentary protection for the coastal habitat adjacent to salmon spawning rivers. Land-based industrial developments (such as gold mines) that are required to go through an environmental assessment (EA) process would have to consider the MPAs as a ‘valued ecosystem component’ if there are potential down-stream impacts to the MPA. Through the EA we can ensure that adequate controls and mitigations are in place to protect the MPA. | |
| 3. | **Review of draft Terms of Reference** | Leah McConney |
| **Highlights/Outcome**:  A brief presentation was given on the draft Terms of Reference and topics not currently included but requiring input from the Advisory Committee (e.g. media requests, observers, information shared publically about the Advisory Committee, etc.).  **Discussion**:   * There was general agreement that every effort should be made to make this process as open and transparent as possible, therefore meeting summaries (once reviewed by the Advisory Committee) should be posted on the DFO website. As well, there was general agreement that the Committee membership list (organizations, not individual names due to privacy constraints) should be posted on the website. Additionally, media should be allowed to observe meetings. It was suggested that when Committee Members are talking to media, they should be clear that they are sharing their perspective and not speaking for the Advisory Committee. * It was agreed that Observer status could be granted to anyone interested in attending the Advisory Committee meetings, including alternates, members of organizations with seats at the table, and members of the general public. It was pointed out that logistically, knowing the number of observers prior to the meeting was important (e.g. booking space with sufficient capacity), and that observers should adhere to a Code of Conduct. * The idea of a non-government co-chair for the Committee was explored. The ensuing discussion included consideration of responsibilities the co-chair might have and how a co-chair could be selected (for example, community groups could get together and select a co-chair from amongst themselves). It was pointed out that having a co-chair is a good approach in principle but there are challenges with selecting one with such a diverse group, and there is a risk of perceived advantage with any group that is selected. Another participant suggested that a co-chair is less important than a good agenda, meeting format and open and transparent process. * Committee membership: DFO was asked how they selected organizations to serve on the Advisory Committee. In response it was explained that in addition to seats for First Nations, Indigenous groups, provincial and municipal government representatives, federal regulators, academic experts and industry sectors, every effort was made to ensure representation from all the different perspectives offered by the various groups representing community interests. * The Advisory Committee was asked to flag any gaps in the membership. It was observed that while HRM had a seat, Guysborough County was not at the table. One committee member offered to forward contact information for several other community groups that may offer additional perspectives. * Several participants expressed concern about a statement in the Terms of Reference indicating that the Committee will be dissolved once a formal decision is made about the site, and a new committee would be formed to advise on the management of a future MPA. It was suggested that this statement be modified to allow for the continuation of the Advisory Committee into the MPA management phase.   **For Action**:  Advisory Committee members are to submit their recommendations for the Terms of Reference within two weeks (deadline: Friday September 28th). DFO will circulate the revised Terms of Reference to the Committee for further review, with the intent to finalize this document at the next Advisory Committee meeting. | |
| 4. | **Review of the Ecological Overview** | Nick Jeffery |
| **Highlights/Outcome**:  A presentation was provided by DFO Science on the ecological overview and the resulting conservation priorities for the Eastern Shore Islands AOI.  **Discussion**:   * The relationship between DFO and Fishermen Scientist Research Society (FSRS) as well as the relationship between FSRS and the ESFPA was highlighted for the Advisory Committee. The ESFPA is very involved and interested in research and monitoring and takes an active role in supporting sustainable fisheries. It was pointed out that DFO has canceled some of the funding to support industry-led research (e.g. lobster recruitment index study). Tanya Koropatnick noted that OCMD has arranged for the addition of three more stations to the 4VsW sentinel survey for this year. In addition to the regular suite of monitoring tasks, baited underwater camera systems developed by the NSCC’s Oceans Research program will be deployed at a subset of survey locations to explore ways to expand upon the data gathered through this long-standing industry partnership. * One representative expressed interest in advancing citizen science (including industry) on the Eastern Shore and another pointed out the opportunities for academia and industry to collaborate directly without DFO involvement. The importance of communicating science with industry partners as well as the broader community, once complete, was also identified (e.g. column in the Eastern Shore Cooperator, newsletter to residents, etc.). * One representative asked if there would be a major federal investment in research and programs/resources associated with the Eastern Shore Islands (e.g. invasive species, seals, climate change, etc.). Tanya Koropatnick explained that there are many different DFO programs implicated; the OCMD will have a budget to contribute to priority management issues associated with Eastern Shore Islands but there is also opportunity to leverage an MPA for other sources of funding (e.g. grants). * Another representative expressed concerns about the budgets within DFO programs/ departments – while the marine conservation portfolio has been receiving funding, other parts of the department, like DFO Science’s Population Ecology Division, has been cutting back on funding certain program areas, resulting in less data and information for stock assessments to support fisheries management decisions. * One representative asked if there is sufficient scientific information to prepare a management plan for the area. In response it was acknowledged that while we will never have all the information we would like, there is sufficient information to move forward. Another participant stressed the need to continue to gather data on the site, and collaborations with academics and industry should continue to be explored.   **For Action**:  Once published, circulate the Science Advisory Report (SAR) amongst the Advisory Committee (Fall 2018). | |
| 5. | **Review of the Draft Socio-economic Profile** | Cory Large |
| **Highlights/Outcome**:  A presentation was provided by DFO Policy & Economics on the socio-economic profile for the Eastern Shore Islands AOI.  **Discussion**:   * One representative asked about a change in the dependency numbers and Cory Large explained that after receiving feedback at the recent ESFPA fisheries working group meeting, adjustments were made to the method to exclude harvesters with very low landings (e.g. just one trip during the study period). * Various clarifications were provided, including whether the values were adjusted for inflation (no), whether values were based on wharf prices or were they adjusted for market value (based on wharf prices), and the quality of some of the historic data (just for understanding trends). Cory Large clarified that at this stage in the process, the socio-economic profile is a simple overview. A more in depth cost-benefit analysis is completed once there is a draft MPA design. Even at that stage, certain sectors (e.g. tourism and recreation) would have largely qualitative descriptions of potential costs and benefits. * It was observed by several participants that the importance of the fishery to eastern shore communities goes far beyond the price on the wharf; the fishery is a key economic driver for the eastern shore and negative impacts to that industry would have far-reaching consequences to the entire community. There was an offer from the fish buyers/processors sector to provide more information to allow for a more comprehensive economic analysis. * There was a question about the trends in the lobster fishery – both Cory Large and members of the fishing industry confirmed that both the cost and landings of lobster were increasing. * One representative asked if the socio-economic assessment could undergo a third party review as part of consultation. Cory Large explained that due to the privacy restrictions associated with fisheries data, it is not possible to share the raw data with external groups; however, processed data and information can be shared for external review. Once the socio-economic profile document is completed, it will be made available for feedback.   **For Action**:  Once finalized, circulate the socio-economic profile amongst the Advisory Committee (Fall 2018).  Advisory Committee representatives are to provide information on what they would like to see in an independent economic, social and cultural assessment (deadline: October 5th). | |
| 6. | **Introduction of the Risk Assessment Approach and Scoping** | Leah McConney |
| **Highlights/Outcome**:  A presentation was provided on the risk assessment methodology and scoping for the Eastern Shore Islands AOI.  **Discussion**:   * One representative identified the importance of scoping the risk assessment as widely as possible; others also expressed concerns about limiting future economic development opportunities. It was explained that while the risk assessment focuses on historic, current and potential future uses (i.e., activities with a reasonable likelihood of occurring within the next 10 years based on known development plans), the regulations can be worded to include some flexibility to allow other low impact activities to occur. * A question was asked about the timeline for completing the risk assessment. In response it was explained that as a best-case scenario, DFO is hoping to have a draft that can be shared with the Advisory Committee by December. It was recommended that DFO focus on completing the assessment for lobster first to provide more certainty to the fishing industry. It was further noted that the Eastern Shore Islands is not an area of prospectivity for oil and gas activities, so this sector has not been scoped into the activities to be assessed as part of the risk assessment. * One representative asked about whether there are classes of activities (e.g., oil and gas exploration) that are not considered compatible within MPAs. It was explained that while there is currently no explicit policy identifying acceptable or unacceptable activities, this is a topic of focus for the [National Advisory Panel on MPA Standards](http://www.dfo-mpo.gc.ca/oceans/conservation/advisorypanel-comiteconseil/index-eng.html). The panel is expected to provide their final report to the Minster later this month. * Concern was expressed about the precedence being set by risk assessment outputs. It was clarified that the assessment is site specific, and conducted with consideration for the low tolerance of risk that is appropriate for an MPA. Findings of the assessment will apply to the Eastern Shore Islands area explicitly, and are not intended to be extrapolated to other areas of the region, or to other MPAs.   **For Action**:  Once the risk assessment method is finalized it will be shared with Advisory Committee members (October 2018). DFO will complete the risk assessment for the commercial lobster pot fishery first to reduce uncertainty for this key fishery. The Advisory Committee is asked to identify any additional activities/sub-activities that should be scoped into the risk assessment (deadline: September 28th). | |
| 7. | **Membership Perspectives** | Wendy Williams |
| **Highlights/Outcome**:  Committee members were invited to provide a brief summary of their community/organization/sector’s: (1) mandate, (2) perspective on potential positives of an Eastern Shore Islands MPA, and (3) perspective on potential challenges of an Eastern Shore Islands MPA. In respect of time and the number of expected participants, each representative was asked to provide this information within 3 minutes. Additionally, speakers were invited to also submit a full written statement electronically after the meeting so that these can be shared as part of the meeting report to all Committee members.  **For Action**:  Advisory Committee members are to submit written copies of their perspectives statement within 2 weeks (deadline: Friday September 28th) for compilation and distribution to the entire Advisory Committee membership. | |
| 8. | **Facilitated Discussion and priority setting** | Glen Herbert |
| **Highlights/Outcome**:  Glen Herbert summarized some of the key themes and topics for discussion in the near future based on what was heard during the course of the day.  Key themes from the day:   * The need for greater clarity and certainty regarding the process and what an MPA is * Importance of preservation of way of life to the Eastern Shore * Flexibility in design: Controlling incompatible activities while allowing for potential economic opportunities in the future * Community involvement * Science * Communication and misinformation * Capacity for monitoring and enforcement * Distrust of government   Topics flagged as immediate next steps:   * MPA design: zoning and core protection zones * Potential MPA benefits * Risk assessment: scoping and the need for these results quickly * Independent economic, social and cultural assessment * Broader community engagement * Finalize Terms of Reference   **Discussion**:   * The importance of maintaining flexibility in the MPA design was reiterated as changes in the fisheries do occur and it is important to maintain opportunities for the future. * One representative asked if there was a list of lessons learned from other MPA establishment processes. In response it was stated that the majority of DFO’s experience in this region has been in the offshore. Coastal MPAs are quite different and present their own unique set of challenges. DFO makes every effort to adapt and improve our process for each AOI we work on, and hopefully it is already evident that the process is evolving to address the specific needs of this area (e.g., incorporation of community workshops as a way to engage local communities in the MPA design). The need to work at an appropriate pace was also discussed – while the process should not be rushed, it should proceed quickly enough so that the appropriate stakeholders stay engaged. Other lessons learned raised by various meeting participants with experience in previous processes include the need to have space for difficult discussions with information on the table, the need for all participants, including the government, to trust in the Advisory Committee and the consultation process, the value of face-to-face discussions, and the need to incorporate socio-economic information earlier in the process. * One representative spoke of the existing spatial closures (e.g. sponge boxes, Gully MPA and the Haddock Box) and the feeling that the eastern shore has been unfairly impacted compared to other parts of the region. * The lobster fishery is changing and the fishermen are catching lobster at depths of up to 50 fathom, so essentially the full AOI is being fished and there is no space for a no-take zone. Fishing industry participants noted a no-take zone would create challenges for a variety of reasons: 1) There are already issues with enforcement and a no-take zone would create a sanctuary for poachers; 2) Lobster is a territorial fishery and any displacement would have significant impacts, including infighting amongst fishermen; 3) fishermen are concerned about Food, Social and Ceremonial (FSC) landings being sold. Allowing Food, Social and Ceremonial (FSC) fishing to continue in an area where commercial fishing is excluded could create more conflict in the community. * Timing and topics for the next meeting of the Advisory Committee were discussed. While early December would be a reasonable timeframe to allow for a review of a draft risk assessment, a meeting focused on zoning and no-take zones (e.g. theory, purposes, challenges, etc.) could be held as early as November. It was pointed out that having at least some preliminary fisheries mapping results would be useful to have before a meeting about no-take zones. In response to this comment, one representative pointed out that fishermen are concerned about sharing information about their fishing activities based on what they have heard from other fisheries mapping projects.   **For Action**:  DFO will circulate a schedule of immediate next steps (October 2018) based on the priority items that emerged from the list of themes and topics. | |