

**SWNB Marine Advisory Committee Meeting
Harry Hachey Conference Centre
St. Andrews, NB
December 6, 2012**

Committee Members present

Jessie Davies
Mike Rouse
Bob Sweeney
Kim McKinley
Maria-Ines Buzeta
Ken Hirtle
Lois Mitchell
Greg Thompson

Absent

Phillip Ells
Klaus Sonnenberg
Tim Paul
Dave Giddens
Mac Greene
Gerhard Pohle

Government representatives present

Sarah Cheney (DFO)
Kimberly Watson (NBDAAF)
Russell Henry (NBDAAF)
Loretta McAleenan (NBDAAF)
Heather Breeze (DFO)
Karen Coombs (NBDAAF)
Aaron Bennett (NBDEL)
Shawn Prosser (NBDEL)
Rob Stephenson (DFO)

Presenters

Maxine Westhead (DFO)
Marty King (DFO)
Kenton Kinney (NBDNR)

Co-chairs

Robert Rioux, DM Agriculture,
Aquaculture & Fisheries

Faith Scattolon, RDG DFO Maritimes

Opening Remarks:

Robert welcomed the newest members of the MAC, Maria-Ines Buzeta and Ken Hirtle, to the table and roundtable introductions were made.

Review and Approval of Agenda:

The Agenda was reviewed and adopted.

Confirmation of Citizen Co-chair

An e-mail went out to the MAC members soliciting nominations for a citizen co-chair and two names were brought forward. One person declined the nomination and the other person who was nominated, Bob Sweeney, has accepted. Robert asked if there were any objections to Bob as citizen co-chair and there were none. Robert thanked Bob for taking on this role and he was confirmed as citizen co-chair.

Approval of Consent Agenda

- a. Terms of Reference**
- b. Operating Procedures**

These documents were discussed at the previous MAC meeting and the proposed revisions were made to the document. These documents are open for comments and discussion.

Jessie expressed concern that there are people in the community that don't know that the MAC exists so there should be some form of press release go out to inform the public that this process is still alive and what is being done.

Approval of minutes of July 12th meeting

Minutes were approved and will now be posted on the website.

Fisheries and Oceans Canada: Marine Protected Area Network Planning in the Maritimes Region (Maxine Westhead and Marty King)

(PDF of presentation will be circulated)

Key points / discussion

- Q. Is there a definite decision as to when is an area designated as an MPA or when it isn't?
- A. Maxine stated that it's a big question as to what counts as an MPA and what doesn't. Discussion is ongoing and no final decision has been made as to what's in or out. Ultimately, the Northeast Channel has a very small limited fishing area and the area that is closed to fishing would count as a MPA. Whether the limited fishing area would count, the discussion is still ongoing.
- Q. Does this tie into ecosystem based management?
- A. Maxine suggested that she thought that this would be within the scope of the MPA as the MPA network is designed to be inclusive. MPA's are generally selected for the protection and conservation of the ecosystem and not as a way to manage a fishery.
- Q. Will there be some way of utilizing the information that we have in terms of species, etc? Some of the areas may already be highlighted in terms of discussion of an MPA plan - will that give extra merit when a policy is reviewed for an area?
- A. Marty stated that when going through this process and they become aware of a specific area that is highly sensitive and vulnerable to current activities there may be a requirement to put an interim protection plan in place. Faith stated that when there is information which suggests a feature is under threat, measures can be taken under existing management authorities, such as fisheries management. These management measures would be specific to an activity and the potential impact of that activity.
- Q. As the ocean warms, is there a mechanism to take that into account so that the mapping could in time reflect changes in the ecology due to that and factors that we don't know about now?

- A. Nancy Shackell [a DFO scientist] received funding to look at predicted changes in the oceanographic environment in this region and the characteristics of a large group of common species that occur in the region. She attempted to predict how the range and distribution of those species would change with the predicted changes in temperature. This is being done to inform DFO decision making broadly but also to tie into the network planning process. The way that would be applied would be by asking ourselves would it make sense to design a network to focus on a species that we know or expect to be found further north and not be as dominant a species in this region. Not that a species would be ignored but less of an emphasis would be put on it.
- Q. Is the greatest source of opposition to MPAs the commercial fishery?
- A. Yes, for the shelf waters and the coastal region.
- Q. If the goal is to get engagement at an early stage to work with rather than against the commercial fishing industry, what are the objectives and will they be available upfront as to what it is we want to protect?
- A. Some work has been done and they've started to get into what are the types that should be protected and there is some guidance provided by the Convention of Biological Diversity. There is a technical international working group that helps define the criteria of what should be protected. The two categories of objectives that should be captured are:
1. Representative examples of each of the ecosystem types that are out there. Want to protect examples of every type of ecosystem within your region.
 2. EBSAs [Ecologically and Biologically Significant Areas] – the ones that would benefit from spatial protection would end up being part of the network. We want to protect the special and unique areas
- Q. In the Bay of Fundy, there is diversity but in small areas. Would it be in small pieces or in one unit?
- A. Marty stated that because it is a very diverse planning area, it is likely that the Bay of Fundy would be looked at in smaller components. A group like the MAC might have a lot of influence on this. You can have large MPAs that are zoned and have strict protection within them or you can have very discrete small areas.
- Q. How would the Marine Advisory Committee advise the planning people to engage the stakeholders (primarily the fishing industry) – at what stage should they have the information? Too often the information comes when the people feel the decision has already been made and they don't really have input. Could some sort of paper or announcement go out to the public (i.e. in association newsletters)?
- A. Max stated that they do have some advice on what the goals should be and now they want to bring those out to people. The form of which they do that is what needs to be determined and this is the type of feedback that they are looking for.
- Q. Where did the 10% figure come from in the biodiversity targets? Does this mean we only protect 10%, what happens to the other 90%? Is it 10% of the Bay of Fundy, 10% of the Atlantic coast, etc. – is it 10% of each of those areas? What are we protecting the marine areas from? It sets up this adversarial environment. It might be better to talk about marine enhanced area or something that doesn't set up this adversarial position.
- A. In answer to what happens to the remaining 90%, Marty stated that this is not meant to replace any existing management process that is in place. It's trying to

- ensure that the biodiversity is maintained and ideally enhanced. If we are to accomplish 10% of the region, it would be evenly distributed.
- Q. With 16 EBSAs identified, 10 in Southwest NB, is that because the biological station is in SWNB and there has been more research there on the NS shore, which has fewer significant areas?
- A. There has been a lot of research around the Quoddy area and the Fundy region because the station is here but it also speaks to the fact that this area is incredibly dynamic and diverse. There is higher habitat diversity in this area than in the NS side. This area has the most information available. Because this area is so diverse, it attracted the research.
- Q. Sensitivity to economics – For example, if an MPA will not be put within 1 km of an aquaculture site that should be stated up front. Some of the areas that have been identified are in areas where there are aquaculture sites.
- A. Faith stated that when the regulations were put in place for the Gully MPA, there was a broad range of activities that had been occurring in that area and at the end of the day some of those activities continued and some did not. The decisions were based on the objectives / features in that MPA (what are we trying to protect). Robert stated that it should be made very clear what activities would be prohibited and what would be allowed in a MPA

Aaron explained that the Secretariat thought it might be useful to have a template where the advice back to government on policies and procedures that were being reviewed by the MAC could be captured. The template has the four main themes, based on the CVC table. Aaron showed the advice/recommendations template on the projector and as discussion ensued, he filled in some of the areas of the template to capture the comments from the MAC.

The comments and recommendations from the MAC on the MPA network planning process were captured on the template. They were reviewed at the end of the discussion by the group and will be circulated before being finalized.

New Brunswick Department of Natural Resources: Allocation Policy for In-Stream Tidal Energy (Kenton Kinney)

(PDF of presentation will be circulated)

Key points / discussion

- Bob Sweeney stated that the main purpose of this presentation was for information. Good to hear that the regulatory process, with regard to policy, is developed within the department and can be changed within the department. One element that Bob felt was missing is the public consultation process – there was consultation but not community engagement in the development of the policy.
- Q. If this committee were to review, for example tidal power in-stream policy from the perspective of this group and looking at the CVC this presentation didn't go into the ecological aspect possibly because there was science advice separate from what was presented today? If this committee were reviewing it presumably we

- would look at all of these things, cultural, social and economic aspects if this information had been gathered.
- A. In the future there very well may be other policy initiatives in the marine environment, at the early formation of perspective and as advice is given to government that we would want to engage this committee.

Potential Items for review at subsequent meetings

1. Proposed Regulatory Regime to manage the Release of Aquaculture Substances
 - Heather stated that it is in the process of being published in the Canada Gazette and they will let us know and we can circulate it to the committee. There is a sixty day comment period where people can provide comments.
2. Changes to the Fisheries Act
 - Faith stated that this is still a work in progress. When looking at some of the policy work associated with implementation of the act, this is something that could be brought to this table sometime in 2013.
3. Aquatic Invasive Species
 - Faith stated that the department is going forward with the development of the regulations. This will also go through the Canada Gazette process. Aside from the regulatory aspect of it, there is still a fair amount of work that needs to be done and consultation that needs to occur on the policy and implementation of those regulations.
4. ABMA
 - Robert stated that this has been in existence for some time and which the Department has committed to revising however they are not as far in developing the policy as they would have liked. The timing of the next meeting might be good to have this on the agenda

Jessie suggested that it would be good to talk about how toxicology and contaminants are going to be handled in the future. This is a huge issue and we have to understand how it will be dealt with if there is a problem.

Robert suggested that the Secretariat determine how to incorporate that into a presentation so that the committee would have the opportunity to discuss.

Greg suggested that we still keep an eye on tidal power because if it comes it will be the first in this area and we should be ready to be involved.

Lois suggested that items that are for information only should not be on the agenda. It is best to have agenda items that the committee can provide input on. Information items could be forwarded to the committee via e-mail.

Any ideas that the committee has for future agenda items may be sent to Loretta.

Website Update

Aaron showed the committee the revised website and how it will be populated in the future. This will serve as an information tool for the public as the process moves

forward. Jessie Davies noted that this was a more interactive website than she had been led to expect and she was pleased with its development.

Next Meeting

Tentatively set for February 21, 10:00am – 4:00pm at the St. Mark's Anglican Church, St. George, NB

Action Items

- Loretta to e-mail the link to the new website.
- Circulate minutes to committee.
- Secretariat to look into presentation on how toxicology and contaminants will be handled in the future
- Text for a news release to be developed in advance of the next meeting. Once approved, this will be made available to the public.
- Put together a list of policies that the MAC could potentially look into.
- Bob Sweeney to circulate advice and recommendations on the MPA Network Planning process to the MAC for feedback.