



TRANSATLANTIC PLATFORM FOR ACTION ON THE GLOBAL ENVIRONMENT – T-PAGE

Marine Protected Areas – EU and US Experiences

Discussions at Teleconference 22 January 2008

Introduction

Indrani Lutchman (IL) introduced the teleconference by recalling the context of the marine work stream of the Transatlantic Platform for Action on the Global Environment (T-PAGE) project which is focused on marine protected areas (MPAs). She highlighted that the aim of this second teleconference is to review case studies developed on each side of the Atlantic, in order to share practical knowledge and learn about each other's experiences in designing, managing and enforcing MPAs and MPA networks. She also stressed that using structured case studies is a better platform for discussion and helps to identify commonalities and differences among different systems.

Case studies

a) The approach for designation of MPAs in Belgium

After the roundtable to introduce all the participants to this conference, Dr An Cliquet presented the first EU case study focusing on the approach for designation of MPAs in Belgium. The main points of her presentation included:

- That the first attempt to implement MPAs in 1999 failed due to a lack of involvement from stakeholders. In 2003, the next Minister repeated the same mistake and did not consult stakeholders and this led to a second failed attempt to establish MPAs
- A change in government led to the creation of a North Sea Ministry, which promoted the development of MPAs along the Belgian coast. The Minister was more consultative (particularly with the economic sector) and the key person responsible for the implementation of MPAs, by providing the necessary political effort. It therefore took a charismatic and politically well-connected person to drive the process: it was not enough to just change the law. There are now 6 MPAs established.
- Whilst this was a positive change, there was still opposition to the establishment of MPAs. So while the government now agreed to establish

MPAs, they made a compromise and only allowed a restricted number of activities in the MPAs. Furthermore, they changed the federal law, to ensure that it could not forbid the fishing activity in MPAs.

- The question now remains whether stakeholder participation has led to a weakening of the benefits of the MPAs for the conservation of the marine environment.
- The areas for economic activities were designated first (for sand/gravel extraction, and wind farms) – and then the marine protected areas were designated, in different places.

Additional issues were raised by participants and include:

- That whilst fishing authorization in MPAs is only valid from a federal perspective, the Flemish government can proceed and ban fishing activities in MPAs. The US participants pointed out the similarities between the Belgian and US experience, in relation to the role played by political champions in moving MPAs higher up the political agenda.
- Stakeholder consultation is more likely to lead to a positive outcome for MPAs compared to the ‘top down approach’. However, the Belgian case highlighted the power of the economic lobby in allowing some activities to take place in MPAs.

b) Establishing large-scale trans-boundaries MPA networks: the OSPAR example in North-East Atlantic

The second case study examined the Oslo and Paris Commission (OSPAR) MPA network. It was presented by Thomas Binet, who highlighted the following:

- The definition of a MPA network is rather a broad notion, highly variable on scale, focus, objectives and types of governance.
- The OSPAR network only includes ecological purposes and has based its process for implementation on specific ecological criteria.
- The network is still at its early stage of implementation, which can explain the small area of coverage to date and there is also a concentration of near-shore sites versus high seas MPAs. There are different levels of political commitment to the implementation of the OSPAR network by Contracting Parties.
- Only a few parties to OSPAR have selected sites and most of the selected sites are already part of the Natura 2000 network, which creates an overlap between those two networks. Whilst this may be a good thing in ensuring coherence, the objectives of the OSPAR and Natura 2000 network are different and this could be problem.
- Strategic challenges can be drawn from this example regarding the implementation of a trans-boundaries MPA network from a political and ecological perspective.

Additional issues raised by participants included:

- The OSPAR network is driven by “soft” laws and not funded. It relies on political pressure to influence the process. Whilst this may be beneficial for participation and sharing of experiences at the regional level, it does not provide the impetus for governments to commit to the OSPAR network

development process. As one participant noted, the soft law may create exchanges of practice and a motor for good will, but not a motor for enforcement.

- The status of the OSPAR network is different from that of the Natura 2000 network, which is driven by “hard” laws and subject to funding and which is currently further advanced in terms of the number of sites designated and the coverage.
- OSPAR is no more and no less than an international agreement. Fisheries not up to OSPAR, but regional fisheries management.
- OSPAR could be a mechanism to drive work on the high seas. The Netherlands have pushed for high seas network in the OSPAR network.

c) The MedPAN network of MPA managers in the Mediterranean Sea

Dr Milena Tempesta presented the third EU case study. She introduced the MedPAN network of MPA managers in the Mediterranean Sea. Main issues highlighted include:

- This network is different from OSPAR because it is only a network of MPA managers and is an ecological-based network for sharing of experiences and knowledge using a bottom-up approach.
- MedPAN is a 3-year project funded by the EU with 23 partners from 14 EU countries and 9 non-EU countries. It has not yet secured the funding for follow-up, so the future of the network is uncertain and based on an important fund raising work already started.
- MedPAN provided for regular, back-and-forth sharing of information among MPAs managers about management issues, thanks to meetings hosted in different MPAs across the Mediterranean Sea.
- The MedPAN network plays also a lobbying role regarding the creation of new MPA in the Mediterranean Sea. Last MedPAN meeting has seen the signature of the Port-Cros Declaration, which aims toward the development of a network of MPAs in the Mediterranean Sea. The Declaration was presented at the last Barcelona Convention COP 15 (Almeria, Spain, Jan. 2008)

Additional issues raised by participants included:

- There is a similar initiative on US west coast which is comparable to the Mediterranean Sea case: the Baja California Initiative (Baja to Bering Initiative – looking at the feasibility of an MPA network spreading from Canada to Mexico), also the MPAs Learning Network (allows people to come together and share best practice).
- The participants agreed on the necessity to permanently secure this kind of network in the Mediterranean Sea, since permanence is one of the most important criteria for the success of an MPA (c.f. first teleconference).

d) The Channel Islands MPAs network

Dr. Satie Airame presented the first US case study. The main points highlighted in this study on the Channel Islands MPAs network include:

- The development of the Channel Islands network had two phases. The first aimed at implementing MPAs within the State jurisdiction (0-3 nautical

miles) and the second at extending the sites into federal waters to 6 nautical miles. This highlighted the differences between the US federal and State approaches on MPAs from a legal perspective.

- The bottom-up approach was emphasised as a key factor to the success of this network development. Stakeholders at the local scale were involved throughout the entire process through a formal stakeholder group. They never reached agreement – ending up with 2 different network options, one better reflecting nature conservation interests and one better reflecting fisheries interest. In the end therefore the state agency took the two plans and made a compromise network. This was then consulted on and stakeholders were asked for their top 10 changes to the compromise solution, these were all then implemented.
- The ‘grass-roots’ character of this process was a strength, as it meant that relevant stakeholders were all involved, but also a weakness, as there was no hard law to back up the process, therefore no strict timeline, no funding, making it more difficult and time consuming to reach decisions.
- The forming of the formal science advisory panel in 1991 was a strength because it was an independent panel that advised on the guidelines.
- A socioeconomic panel also played a role and were responsible for assessing the benefits of the network and on the independent character of this panel. But the data collection was not very good—it was collected at a course scale of 10 x 10 nautical miles. There was also an independent science advisory panel set up to guide the stakeholder group.
- After detailing the process for network implementation, she recalls the importance of consideration of an ecological area and inputs from local residents.
- Results from the monitoring process after 5 years of implementation are due in February. Initial results have shown an increase in size and abundance for most fisheries-targeted species. There is less data available about socio-economic changes.
- Successful reserves need sound enforcement, involvement of local residents, and scientific monitoring.

Additional issues raised by participants included:

- The announcement of a forthcoming publication by PISCO on marine reserves.
- The opposition from recreational fishing community was stronger than from the industry when discussing details about implementing MPAs. This has been recognised as a common concern in the US, whereas opposition from recreational fishers is much lighter in the EU.

e) Florida Keys: Establishing Marine Protected Areas

Case study on the Florida Keys was presented by Kate Wing. The main issues developed during the presentation included:

- The importance of the zoning plan in the implementation of this network of MPAs (sanctuary) and the added-value it has created to the network.

- This case study deals with tropical waters conservation, as well as a high-level of activities linked to tourism (therefore a strong incentive to protect diving and snorkelling areas).
- Recognition of the reserve as supplying the ecological connection and sustaining the recreational and commercial species as a spawning area. This aspect served as one component of convening the stakeholder process that did reach consensus and it involved sport fishermen. Science was used to show how the ecological areas upstream provided great ecological benefit downstream.
- This case study is also considered as a model of collaborative reserve design - with a successful stakeholder process. Indeed, the Tortugas ecological reserve has been developed with regard to the ecological connectivity to the Florida Keys.
- The designation of this reserve took quite a long time—nearly 14 years to come to fruition.
- The discussions for establishing this reserve took place at the federal level with state engagement at that level.
- It was helpful to use science to show the fisheries stakeholders how protected areas upstream (e.g. protecting larval fish etc) would boost fish populations outside the protected area.
- Scientific guidelines (on size, spacing, species to include etc.) were set up very early on and drove the process.

Wrap-up of case studies

The case studies were interesting and successful in sharing experiences which were similar and different. Some commonalities highlighted in all case studies included:

- The importance of participation in the designation and implementation of MPAs. The bottom-up approach adopted in the US has proved to be efficient with regard to this process. This may however not be the case for high seas MPAs, which highly depend on Regional Fisheries Management Organisations (RFMO) for their implementation, management and enforcement.
- The importance of science and especially monitoring in the whole MPA process. This has been highlighted in all case studies.
- The importance of a political “champion” to take forward the MPA implementation case. At some point, a key person is required to get over difficulties or delays in the implementation of MPAs.
- Differences between “soft” and “hard” legal framework for MPA implementation has been highlighted. Both have advantages but the latter seems to provide a more efficient context for implementation and is likely to avoid delays in implementation and lack of enforcement.
- All the case studies used looked at networks rather than individual sites – but there were widely varying uses of the term ‘network’

Discussion of preparations for the high level conference on MPAs

The last item on the agenda concerned preparations for the high level meeting on MPA to be held in Brussels in May 2008. IL introduced the background paper, which recalled the objectives and expected results of the T-PAGE project, in particular the high level conference, which will be the final marine deliverable from the project.

She highlighted some of the key aspects in relation to the conference, including:

- That the conference will be open to representatives from the civil society but will also comprise academia, industry, and research institutes, with an open invitation to policy-makers at the national or supranational level
- Key representatives from both EU and US sides will be invited to speak at the event and that the structure of the conference was as yet largely undecided.
- This conference is likely to be 1 day and comprise 3 or 4 sessions targeting the core components of the whole MPA process (from designation to implementation, management and enforcement). A meeting for EU and US experts would be held the day before the conference.
- The presentations at the conference will not necessarily be based on the case studies from teleconference

Participants put forward the following ideas:

- Themes for the conference should somehow transverse, which will allow discussions to be based on a common ground
- The conference should have a practical focus in order to deliver useful and palpable outcomes and analyse how the whole MPA process works *practically*
- It is also important to analyse how MPAs implementation contributes to the attainment of ecological goals
- It is relevant to focus on the core components of the whole MPA process

Participants outlined the following issues as those they would like to see discussed at the conference:

- The mechanisms for involvement of partners in the MPA process
- The role of science
- The political role of ‘champions’ in the efficiency of MPA implementation
- Both top-down and bottom-up approaches in the MPA implementation process, differences between coastal MPAs and high seas MPAs regarding that approach
- For ‘bottom-up’ approaches with lots of stakeholder involvement – what is the final outcome when measured against ecological goals (i.e. does more stakeholder participation = weaker provisions for nature conservation)
- The link between fisheries management and nature conservation within MPAs
- The role of time taken in MPAs designation and preparation of management plans
- The high seas MPAs and MPAs network, the current political support for high seas marine protected areas. What is the way forward?
- Multi-dimensional objectives for MPAs: socioeconomics, cultural heritage, education, etc.
- Evaluation of management effectiveness of single MPA and of networks of MPAs
- Barriers to meeting the 2010 target for an MPA network

- The role of MPAs in education and outreach

IL informed participants that IEEP/NRDC will be planning the final conference in the coming weeks and invited participants to contribute to the planning of the conference by submitting names of experts, suggestions on the scope, content and structure of the meeting to IEEP. A draft agenda and other information relating to the planning of the Conference will be circulated in mid-Feb for further comment.

Comments to be sent to: Indrani Lutchman and Thomas Binet: ILutchman@ieep.eu; TBinet@ieep.eu

Annex 1: Agenda from EU-US teleconference on (MPAs)



TRANSATLANTIC-PLATFORM FOR ACTION ON THE GLOBAL ENVIRONMENT (T-PAGE)

Second teleconference on Marine Protected Areas

22 January 2008

Start Time – 4:30-6:30pm UK Time/ 8:30-10:30 am West coast US time/ 11:30 – 1:30pm am East coast US time

Locations –

Brussels – IEEP London Office, 28 Queen Anne's Gate London SW1H 9AB.

Location Map – [Click here for directions](#)

San Francisco – NRDC San Francisco Office, 111 Sutter St., 20th Floor, San Francisco, CA 94104

Dial-In Number –

International: 001- 888-942-8686; or

Within the US: 1-888-942-8686

Conference ID: 8799620#

Meeting Chairs

Indrani Lutchman– Head of IEEP Fisheries Team

Kate Wing – Senior Ocean Policy Analyst, NRDC

Meeting Purpose

The aim of T-PAGE is to offer a forum for members from US and EU environmental civil society to come together to develop a better, common understanding of the marine protected areas debate on both sides of the Atlantic. It is hoped that this process will facilitate debate across civil society, identifying priority actions whereby the EU and US can show leadership.

This meeting represents the second of two teleconferences on MPAs for T-PAGE. You have been invited to review a series of case studies from the US and the EU to share experiences with the management or establishment of specific MPAs and networks. At the end of the meeting we hope to have an understanding of the reasons for success or failures in MPA designation and management in the US and EU, how they compare and contrast, where there is potential for learning from each other. Participants to this second meeting will also assist and contribute to the planning of the high level meeting on MPAs which is programmed for May 2008 to be held in Brussels.

We look forward to your input of ideas and expertise at this meeting and at subsequent meetings; potentially presenting at the final conference in Brussels

The background papers for this meeting and the conclusions will be published online and

circulated to environmental experts in the EU and US in order to engender debate. This represents the start of, what we believe, to be an exciting endeavour.

For information about T-PAGE and the first teleconference visit our project website:
<http://www.ieep.eu/projectminisites/t-page/marineprotectedareas.php>

AGENDA

1. Introduction to the aims of T-PAGE, the meeting specifically	10 mins
2. Roundtable of participants – 1 mins per participant to present introduce themselves and their particular expertise and interest in MPAs	10 mins
3. Presentation of case studies EU i. Establishing large-scale transboundary MPA networks – OSPAR network in the North East Atlantic – IEEP ii. The MEDPAN project – WWF Italy US i. Florida keys MPAs - NRDC ii. The Channel Islands MPA network - NRDC	40 mins
4. Discussion of case studies and summary of main points	30 mins
5. Planning for the High Level Meeting on MPAs (May 2008)	20 mins
6. Wrap-up –conclusions from this meeting, plans for follow up on prep for the May Conference	10 mins

Annex 2: List of Participants and contact details from TPAGE call, January 22, 2008

US participants

Dr. Satie Airame
PISCO
University of California at Santa Barbara
Marine Science Building, Room 2308
Santa Barbara, CA
+1 805-893-3387
airame@msi.ucsb.edu

Dr. Steve Gaines
Director, Marine Science Institute
University of California at Santa Barbara
Santa Barbara, CA 93106-9610
+1 (805) 893-3764
gaines@lifesci.ucsb.edu

Mike Osmond
Senior Program Officer
WWF-US
171 Forest Ave.
Palo Alto, CA 94301
+1 650.323.3506
Michael.osmond@wwfus.org

Lisa Speer
Water & Oceans
Senior Policy Analyst
NRDC, New York
212-727-4426
lspeer@nrdc.org

Melanie Nakagawa
Attorney, International Program
NRDC
1200 New York Ave, NW, Suite 400
Washington, DC 20005
Work: (202) 513-6266
Fax: (202) 289-1060
Email: mnakagawa@nrdc.org

Kate Wing
Senior Ocean Policy Analyst
NRDC
111 Sutter St., 20th Floor
San Francisco, CA 94104

415-875-6100 phone
415-875-6161 fax

Sarah Chasis
Water and Oceans
Senior Attorney
NRDC, New York
212-727-4423
schasis@nrdc.org

European participants

Dr. An Cliquet
Department of Public International Law
Ghent University
Universiteitstraat 6
9000 Gent
Belgium
tel. 0032 9 264 68 99
email An.Cliquet@ugent.be

Saskia Richardz
Greenpeace European Unit
199 Rue Belliard
B1040 Brussels
Belgium
Te: +32 2 2741902
Email: saskia.richartz@diala.greenpeace.org

Dr Milena Tempesta
Marine biologist
WWF Italy-Riserva Naturale Marina di Miramare
viale Miramare, 349
34014 Grignano Trieste (Italy)
Tel. +39 040 224147
Fax +39 040 224636
milena@riservamarinamiramare.it

Kate Tanner
Marine Policy Officer
The RSPB
The Lodge, Sandy, Bedfordshire, SG19 2DL
DDI: 01767 693465
Tel: 01767 680551 ext. 3465
Fax: 01767 692365
Email: Kate.Tanner@rspb.org.uk

Indrani Lutchman
Head of the Fisheries Programme

IEEP
28 Queen Anne's Gate
London SW1H 9AB
UK
Ph: +44 (0) 207 340 2684
Fax: +44(0) 2077992600
Email: ilutchman@ieep.eu

Thomas Binet
Policy Analyst, Fisheries Programme
Institute for European Environmental Policy (IEEP)
28 Queen Anne's Gate
London SW1H 9AB, UK
Tel (direct): +44 (0)20 7340 2688
Fax: +44 (0)20 7799 2600
E-mail: tbinet@ieep.eu