



Government of Canada
Gouvernement du Canada



Canada's Federal **Marine** Protected Areas Strategy



Table of Contents

Executive Summary	3
Protecting Our Marine Environment.	4
A Time for Action	6
Building a Network – An Innovative Approach	7
Benefits of a Marine Protected Areas Network	8
International Agreements and Commitments.	9
Linkages to Federal Initiatives	10
Guiding Principles for Implementation	10
The Strategic Framework	12
Appendix 1 – Federal Tools for Establishing and Managing Marine Protected Areas	14
Appendix 2 – Roles and Responsibilities of Other Government Departments in Marine Protected Areas (MPA) Establishment and Management.	17
Appendix 3 – The Federal Approach to Building a Network of Marine Protected Areas	18

Cover photo credits:
Top left: Jack Mathias
Middle left: John Pratt

Published by:
 Communications Branch
 Fisheries and Oceans Canada
 Ottawa, Ontario
 K1A 0E6
 www.dfo-mpo.gc.ca

Partners:



DFO/2005-799

© Her Majesty the Queen in Right of Canada, 2005

Cat. No. FS23-478/2005
 ISBN 0-662-69076-1



Printed on recycled paper.

Executive Summary

Around the world, marine protected areas are increasingly being endorsed as a valuable conservation and protection tool. The benefits of a network of marine protected areas are numerous, diverse and include ecological, social, economic and cultural elements. The drive for a Federal Marine Protected Areas Strategy ensued from the need for a cooperative and collaborative approach to the development of a network of federal marine protected areas in Canada as a means to help address the declining health of our oceans. In 1997, the *Oceans Act* provided Fisheries and Oceans Canada with a leading and coordinating role in this endeavor.

The intent of this Strategy is to clarify the roles and responsibilities of federal departments and agencies with marine protected area mandates, namely Fisheries and Oceans Canada, Environment Canada and the Parks Canada Agency, and to describe how federal marine protected area programs can collectively be used to create a cohesive and complementary network of marine protected areas.

This Strategy defines the following goal:

The establishment of a network of marine protected areas, established and managed within an integrated oceans management framework, that contributes to the health of Canada's oceans and marine environments.

In support of this goal, this Strategy will aim to fulfill its objectives to:

- establish a more systematic approach to marine protected area planning and establishment;
- enhance collaboration for management and monitoring of marine protected areas;
- increase awareness, understanding and participation of Canadians in the marine protected area network; and
- link Canada's network of marine protected areas to continental and global networks.

These objectives, and the Strategy's supporting activities, are a shared responsibility of Fisheries and Oceans Canada, Environment Canada and the Parks Canada Agency. Together, the departments and agencies will work towards meeting these objectives. To ensure that progress on the network continues, the above mentioned federal departments and agencies will move forward in establishing areas that have previously been identified as candidate sites. In addition, the Strategy outlines how collective planning efforts will be undertaken to identify a suite of sites that may be added to the network in the future.

Francine Mercier – Parks Canada



Protecting Our Marine Environment

Canada has the world's longest coastline, stretching over 243,000 km along three oceans, as well as the second largest Exclusive Economic Zone. These marine and coastal areas range from high arctic to temperate climates on three oceans – Atlantic, Pacific and Arctic. They support an astonishing diversity and abundance of marine life and human activities, contribute significantly to the Canadian economy and offer enormous potential for future economic, social and cultural benefits.

In 1997, the Government of Canada brought the *Oceans Act* into force providing Canada with a framework for modern oceans management. In 2005, the Government of Canada launched a comprehensive Oceans Action Plan (OAP). The OAP is a government wide approach to coordinate and implement oceans activities, and to sustainably develop and manage our oceans. Under the Health

of the Oceans pillar of the OAP, several activities are identified to maintain healthy and productive ocean ecosystems to allow Canadians to realize the full economic, environmental, cultural and recreational benefits that their oceans have to offer. Deliverables under this pillar include the development of a Federal Marine Protected Areas Strategy which will guide the establishment of a comprehensive and coordinated network of marine protected areas in Canada.

Within Canada there exists a spectrum of legislative and policy tools to establish and manage marine protected areas. Three federal departments and agencies – Fisheries and Oceans Canada, Parks Canada Agency and Environment Canada – have specific mandates in this regard (see Appendix 1) and have developed this Strategy to articulate how they will work together to establish and manage a network of marine protected areas in Canada and provide international leadership in marine protected areas.

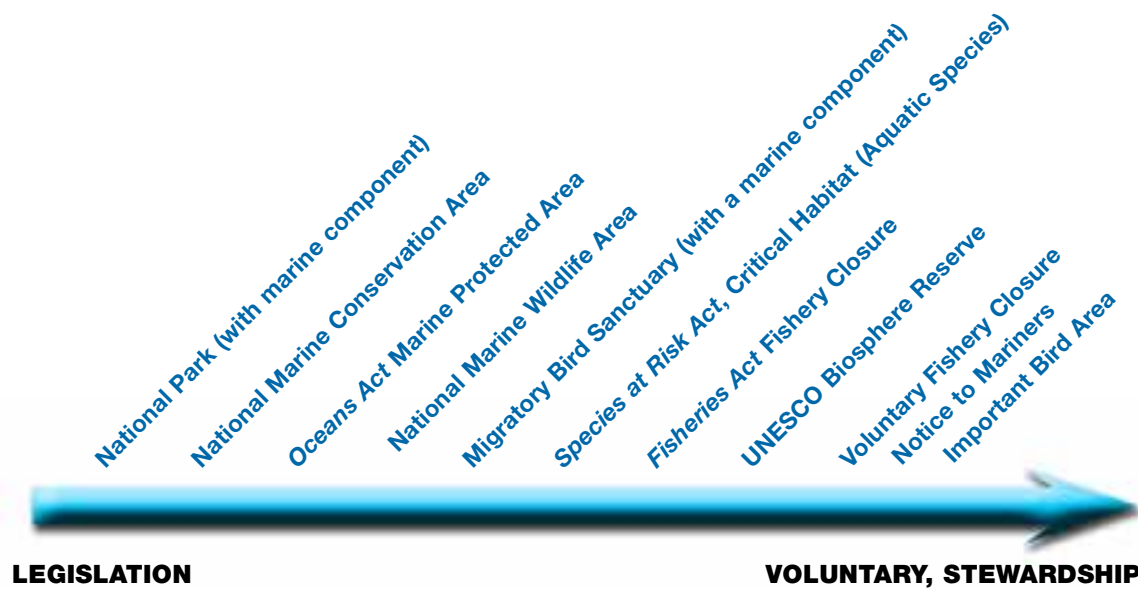
Canada's federal marine protected areas network is comprised of three core programs, including:

- *Oceans Act* Marine Protected Areas¹ established to protect and conserve important fish and marine mammal habitats, endangered marine species, unique features and areas of high biological productivity or biodiversity.

Marine Protected Area

The Federal Marine Protected Areas Strategy defines a marine protected area as:

“Any area of intertidal or subtidal terrain, together with its overlying water and associated flora and fauna, historical and cultural features, which has been reserved by law or other effective means to protect part or all of the enclosed environment” (World Conservation Union IUCN



- **Marine Wildlife Areas** established to protect and conserve habitat for a variety of wildlife including migratory birds and endangered species.
- **National Marine Conservation Areasⁱⁱ** established to protect and conserve representative examples of Canada’s natural and cultural marine heritage and provide opportunities for public education and enjoyment.

In addition to these core marine protected area programs, **Migratory Bird Sanctuaries**, **National Wildlife Areas** and **National Parks** with a marine component, are also considered important contributions to the marine protected areas network.

Federal marine protected areas differ in size, scope and design, and they also exist within a continuum of management measures, ranging from legislated mechanisms such as National Marine Conservation Areas which have minimum protection standards and are established in perpetuity, to more voluntary community-based initiatives. While not exhaustive, the above diagram situates the federal marine protected areas network within the broader suite of management measures in Canada.

It is important to recognize that the establishment and management of a federal marine protected areas network will involve other federal departments and agencies, many of which are involved in the management of the oceans through policies, programs, services or regulations. With respect to marine protected areas, the federal departments and agencies that have a direct role in the management of activities in the oceans are those that will be most directly involved in marine protected area establishment and management.

In addition, other departments may play more indirect roles through partnership opportunities that are created by the establishment of marine protected areas (Appendix 2). In many cases, the three departments and agencies with a mandate for marine protected areas will be seeking the cooperation of those with management responsibilities such as Transport Canada, the Department of National Defence and Natural Resources Canada to incorporate the marine protected area objectives into their management regime. Furthermore, while this document does not specifically address the involvement of provinces, territories, Aboriginal Peoples and others, such groups will have an important role to play in the establishment of a broader national network of marine protected areas in Canada.

A Time For Action

The health of Canada's marine and coastal ecosystems continues to decline due to an ever increasing range of threats, including land and sea-based sources of pollution such as sewage and oil dumping, habitat degradation, unsustainable fisheries, an increasing demand on ocean resources, invasive species and larger scale impacts such as global climate change. In addition to these wide ranging threats, the sheer immensity of Canada's marine and coastal environment, the relative lack of scientific understanding of ocean species, habitats and processes and the fluid, multi-dimensional and connective nature of the marine environment, present an enormous challenge if the decline in the health of our oceans is to be addressed.

Environmental concerns have also been exacerbated by a growing number of competing ocean interests in recent decades. Increased interest in oil and gas exploration and development, offshore mining, aquaculture, tourism, and communication technologies, coupled with traditional fishing and shipping activities have resulted in a complex array of ocean users. There is a need for a cohesive set of policies and a systematic plan that is clear to all ocean users and ensures that our marine and coastal environments remain both healthy and productive into the future.

Poll surveys in Canada (Ipsos-Reed 2001) indicate that Canadians from coast to coast to coast feel strongly that oceans and fish habitat are important priorities for government protection and that environmentally sensitive areas, including aquatic areas, should be protected. Three in four Canadians felt that the government should be spending more money on implementing conservation and other environmental measures designed to protect oceans from environmental damage. A report published by the National Round Table on the Environment and the Economy (2003) entitled *Securing Canada's Natural Capital: A Vision for Nature Conservation in the 21st Century* also called for the accelerated development of a national network of marine protected

areas. The report indicated that "the complementary nature of the marine protected area programs of Parks Canada, Environment Canada and Fisheries and Oceans Canada – and increasing coordination among the three agencies – should facilitate the development of such a network". In addition, the Green Budget Coalition, which is comprised of 17 of Canada's leading environmental and conservation organizations published a series of federal budgetary recommendations for 2005. Priority recommendations include funding and implementation of the Oceans Action Plan, including establishment of a national network of marine protected areas.

Canada has much it can bring to the world community for marine protected area designations. Our scientists and our scientific approach to marine protected area designation can serve as a model for other countries, as can our approach of situating marine protected areas within the context of integrated management planning. Given our current and emerging experience, Canada can also demonstrate to the world how marine protected areas can be useful tools in broader oceans management ranging from the coastal area to the full extent of national jurisdiction. As well, Canada is in the process of establishing marine protected areas or management conservation areas for all of the key priority areas that the world's scientific and oceans management community has identified as critical priorities, such as marine species-at-risk, deep cold water corals, open-ocean seamounts, and hydrothermal vents. This is valuable experience for the global community, and an important indication that marine protected areas are feasible management tools.

Around the world, marine protected areas have become increasingly regarded as a valuable conservation and protection tool. A new and innovative approach toward planning for a network of marine protected areas in Canada, including the effective use of an array of marine protected area instruments ranging from no-take marine reserves to multiple use areas, will contribute to the improved health, integrity and productivity of our ocean ecosystems.

Building a Network – An Innovative Approach

This Federal Marine Protected Areas Strategy helps set the foundation for developing a marine protected areas network in Canada and aims to increase the ecological effectiveness and connectivity between individual marine protected areas in an effort to conserve and protect the structure and function of marine ecosystems. The Strategy recognizes that marine protected areas may work at various scales, ranging from local to hemispheric to global. The Strategy also highlights the importance of establishing a network of marine protected areas within a broader sustainable ocean management planning framework and creating linkages to transboundary, international and terrestrial protected area networks.

In addition to the ecological complexities of the marine environment, there are also a number of institutional challenges to Canada's progress in restoring the health of our coastal and marine environments. For example, there are three federal departments and agencies with a specific mandate to establish and manage marine protected areas, each with its own objectives and management approaches. Although these programs are complementary, and contribute to one overall objective, communication and collaboration between the three federal departments have not always been consistent and have tended to evolve opportunistically. Where collaboration has occurred, the results have been very positive. The Strategy seeks to build on these successes and ensure continued collaboration in the development of a federal network of marine protected areas.

To build on the momentum already underway in many areas of Canada, formalized institutional mechanisms such as Memoranda of Understanding and interdepartmental working groups, at both national and regional levels, may be used to ensure that Canada's marine protected areas network is developed and managed in an inclusive, coordinated and complementary fashion. The development of strategic partnerships, and the



ability to draw from the individual strengths of each department, will increase our collective ability to establish and manage marine protected areas, conduct research, monitor marine protected area effectiveness, as well as develop education and outreach initiatives in a co-operative and cost-effective manner.

This co-ordinated and transparent approach to planning and establishing a network of marine protected areas will also provide a greater level of certainty and clarity to ocean users. The development of baseline scientific information within an integrated or strategic planning area, including the analysis and identification of ecologically and biologically significant areas and candidate representative areas will contribute to ecosystem health while at the same time support sustainable development activities.

Its intent is to clarify the roles and responsibilities of federal departments and agencies with marine protected area mandates and illustrate how federal marine protected area programs can collectively be used to create a complementary and cohesive network of marine protected areas. It also serves to identify those other departments and agencies that, by virtue of their responsibilities within Canada's ocean environment, may have a role to play in the establishment and management of marine protected areas.

Benefits of a Marine Protected Areas Network

There is a growing body of scientific literature concerning marine protected areas in both tropical and temperate waters, delineating the benefits of appropriately selected and well managed marine protected areas. The benefits of individual marine protected areas and a network of marine protected areas are numerous and diverse. They include environmental, social, economic and cultural benefits that contribute to oceans management.

Although scientists have documented the ecological benefits of individual marine protected areas, emphasis has now been placed on designing networks through the careful selection of areas which contribute to broader ecosystem objectives. Focusing marine protected area efforts in this way may enhance the benefits of marine protected areas and provide a mechanism to conserve and protect the structure and function of larger marine ecosystems.

There is considerable scientific evidence that marine protected areas and networks provide a number of ecological benefits, including the enhanced recruitment of fish species, including those of commercial value, through the protection of spawning areas, larval sources, habitats and migration routes. The United Nations Food and Agricultural Organization has recognized that the use of marine protected areas as a complementary measure to conventional fisheries management measures can help in achieving sustainable fisheries management objectives.

A well designed network of marine protected areas may also contribute to the conservation and protection of highly migratory and transboundary species,

Marine Protected Areas Network

The Federal Marine Protected Areas Strategy defines a marine protected areas network as:

“a set of complementary and ecologically linked marine protected areas, consisting of a broad spectrum of marine protected areas, established and managed within a sustainable ocean management planning framework and linked to transboundary, global and terrestrial protected area networks”.

including species at risk, through the protection of key habitats important for critical lifecycle stages which are often found geographically widespread.

The effects of localized catastrophes, either human or naturally induced, on marine species may be reduced by establishing networks of marine protected areas over multiple ecosystems and regions, providing a buffer against localized environmental change. As well, marine protected areas may help address the threats of habitat loss, degradation and over-exploitation and may contribute to the restoration of seriously degraded areas or ecosystems. A network of marine protected areas can also be developed with land-based or upland impacts or threats in mind and can be strategically and ecologically linked to networks of terrestrial protected areas.

The benefits of marine protected areas and networks extend beyond ecological as there are often social, cultural and economic benefits to establishing and managing marine protected areas, particularly in coastal areas. In some cases, coastal protected areas may provide tourism benefits to local communities, including opportunities for either employment or volunteer work. In addition, Canadians nationwide can benefit from the aesthetic beauty of an attractive natural marine area through the participation in non-consumptive activities in these areas. Aboriginal coastal communities, who have a long-standing traditional and spiritual connection to the marine environment and marine resources, may also benefit from well managed marine protected areas which support their traditional activities.

Lastly, the development of a network of marine protected areas in Canada will help demonstrate the willingness of Canada to meet our international obligations and commitments and place Canada back among the world leaders in marine conservation, an objective of Canada's Oceans Strategy and subsequent Oceans Action Plan.

International Agreements and Commitments

Internationally, marine conservation initiatives have emphasized the value of "networks" meeting the objectives of international conservation agreements and conventions. The Jakarta Mandate on the Conservation and Sustainable Use of Marine and Coastal Biological Diversity of the Convention on Biological Diversity (CBD) sets out a work programme for the international community to conserve marine and coastal biodiversity.

The CBD Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) on marine and coastal biodiversity has recognized that marine and coastal protected areas should be part of a wider integrated marine and coastal area management framework. Furthermore, the SBSTTA has agreed upon a goal for work under the CBD that includes the establishment of a network of marine protected areas by 2012, comprised of representative areas, as well as areas that protect specific habitats, species or ecosystem services.

At the 2002 World Summit on Sustainable Development (WSSD) nations agreed to "maintain the productivity and biodiversity of important and vulnerable marine and coastal areas and to utilize a broad range of tools, including the establishment of networks of marine protected areas". The Implementation Plan of the WSSD sets as the goal to "develop and facilitate the use of diverse approaches and tools, including..., the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012...".

WSSD commitments to establish a network of marine protected areas were re-affirmed by G8 Leaders at the June 2003 Summit. G8 Leaders



John Pratt

Francoise Mercier-Parkes Canada

agreed to an Action Plan that includes a commitment to "establish ecosystem networks of marine protected areas, consistent with international law and based on scientific information".

International impetus on protecting High Seas Biodiversity through global networks of marine protected areas is also being pursued through a number of mechanisms, including Asia-Pacific Economic Cooperation (APEC), the World Conservation Union (IUCN) and the United Nations Informal Consultative Process on Oceans.

At the continental scale, the North American Free Trade Agreement Commission for Environmental Cooperation (CEC) has adopted a Strategic Plan for North American Cooperation in the Conservation of Biodiversity. The Strategic Plan promotes cooperation for the conservation and maintenance of North American regions of ecological significance and the conservation of North American migratory and transboundary species. As part of its work, the CEC is promoting various marine conservation initiatives, including a North American Marine Protected Areas Network. The identification of "Priority Conservation Areas" throughout the Baja to Bering (B2B) region is one of numerous ongoing actions in support of the Network.

In March 2005, the leaders of Canada, Mexico and the United States announced the establishment of the Security and Prosperity Partnership initiative of North America which includes a commitment to the joint stewardship of our environment. As part of this initiative, they have committed to developing complimentary strategies for oceans stewardship by emphasizing an ecosystem approach, coordinating and integrating existing marine managed areas, and improving fisheries management.

Linkages to Federal Initiatives

The Federal Marine Protected Areas Strategy and the network are important contributions to the implementation of Canada's Oceans Strategy which has at its root the overarching goal to "ensure healthy, safe and prosperous oceans for the benefit of current and future generations of Canadians". Furthermore, this Federal Strategy and its implementation are key commitments of the Oceans Action Plan. The Federal Marine Protected Areas Strategy will also serve as a means to link and support other national and regional initiatives, including those that support the broader sustainable development agenda.

The building of an ecological marine protected areas network will contribute to the conservation and protection of species at risk and will support the implementation of Canada's new *Species at Risk Act*. Marine protected areas as conservation tools can be applied to the mandatory protection of critical habitats described in species recovery strategies and action plans. An ecologically linked network of marine protected areas can also help conserve and protect key habitats necessary for all critical life cycle stages, including habitats which are required for the large scale movements of highly migratory species at risk. The emphasis on establishing a network of marine protected areas within integrated ocean management planning and other strategic planning initiatives will also contribute to the protection of migratory corridors which are necessary for the successful migration of species.

As well, the Federal Marine Protected Areas Strategy may provide a means for enhancing linkages and potential synergy with regionally oriented environmental programs such as the St-Lawrence Vision

2000, Georgia Basin Ecosystem Initiative, the Atlantic Coastal Action Program and the Northern Ecosystem Initiative.

The Strategy reflects a broader government agenda to seek efficiencies in the delivery of federal programs. The intent is to build an approach that will allow the federal government, where possible, to integrate its activities to create a more effective marine protected areas network, but also to more effectively interact with Canadians in delivering this important component of the conservation mandate of the Government of Canada.

Guiding Principles for Implementation

INTEGRATED MANAGEMENT

As a key principle of Canada's Oceans Strategy, Integrated Management (IM) is a collaborative, flexible and transparent planning and management process. It recognizes the shared responsibility of governments, Aboriginal groups, coastal communities, industry and others to support the sustainability of our marine resources. Also embedded in the IM concept is the continued respect for the legislative mandates of individual departments and agencies.

Establishing a network of marine protected areas within this planning context will increase the effectiveness and health of both individual marine protected areas and the network by ensuring that surrounding areas are managed in a consistent manner.

ECOSYSTEM APPROACH

An ecosystem approach recognizes the complexity of ecosystems and the interconnections and energy flows among their component parts (i.e. water, air, biota, etc.). Using this approach ensures that the linkages among key ecosystem components are considered when identifying, planning and managing marine protected areas on a site-specific basis and in the building of a marine protected areas network.

PRECAUTIONARY PRINCIPLE

The precautionary principle recognizes that decisions and action on conservation measures can and will be taken in the absence of scientific certainty. Even without extensive scientific knowledge, the

J.R. Orr



C. Wilson



level of risk to the marine environment can be determined with the best available information and conservation actions taken based on that information. In the context of marine protected areas, where the threat or risk can be inferred, this could mean that lack of scientific certainty regarding performance measures, targets and benefits will not be used as a reason not to precede with a designation.

RESPECTING ABORIGINAL PEOPLES

Aboriginal Peoples in Canada have constitutionally protected Aboriginal and treaty rights and land claims agreements which must be respected. The federal government is committed to working with affected Aboriginal Peoples throughout Canada to collaboratively plan, establish and manage marine protected areas.

KNOWLEDGE BASED

The integration and use of both scientific and Traditional Ecological Knowledge (TEK), which includes Aboriginal, local and historical sources of information, can contribute significantly to the identification, development and management of an effective federal marine protected areas network.

CONSULTATION AND COLLABORATION

The concept of consultation and collaboration is essential to the development and implementation of the federal marine protected areas network and its individual components – its success depends on how well various interests are able to work together. Mechanisms for gathering of information, increasing public awareness, conducting research, and ensuring participation of those with an interest or role to play in marine protected areas planning and management will be established to improve collaboration and cooperation amongst partners.

PUBLIC AWARENESS, EDUCATION AND STEWARDSHIP

Engaging Canadians in the development of marine protected areas and the marine protected areas network will be fundamental to the success of the network. Ocean stewardship activities can contribute to capacity building, increasing public awareness and understanding of ocean conservation issues, and the development of constituencies that support the marine protected areas network.

MANAGEMENT EFFECTIVENESS

Management effectiveness is the evaluation of the outcomes of a particular marine protected area measured against specific objectives. It requires that specific objectives relevant to a marine protected area be identified, which may include ecological, governance, social, economic and/or cultural objectives depending on the nature of the area. Monitoring of appropriate indicators for various objectives will then be undertaken to determine if objectives are being met.

ADAPTIVE MANAGEMENT

Using an adaptive management regime will include evaluating management effectiveness, and applying new science knowledge to adjust management regimes in order to continue meeting marine protected area objectives.

The Strategic Framework

GOAL

The establishment of a network of marine protected areas, established and managed within an integrated oceans management framework, that contributes to the health of Canada's oceans and marine environments.

Objective 1:	Objective 2:
<p>Establish a more systematic approach to marine protected area planning and establishment.</p>	<p>Enhance collaboration for management and monitoring of marine protected areas.</p>
Activities:	Activities:
<ul style="list-style-type: none"> • Establish or formalize mechanisms for interdepartmental cooperation. • Collaboratively develop and use science-based guidelines and decision-tools to identify and select new marine protected areas by: <ul style="list-style-type: none"> – Identifying and mapping ecologically significant sites and candidate representative areas within integrated management planning areas and other strategic planning initiatives; – Selecting appropriate tools for conservation; – Identifying priorities for advancing the marine protected areas network; – Developing shared criteria and guidelines and seeking opportunities for achieving multiple conservation objectives. <p>(See Appendix 3 for further elaboration)</p> <ul style="list-style-type: none"> • Work together to enhance intergovernmental, Aboriginal, and stakeholder engagement in marine protected area planning and establishment: <ul style="list-style-type: none"> – Use integrated management planning as the prime vehicle for marine protected area site identification including involvement of provinces and territories; Aboriginal groups, management committees and boards; other stakeholders and interested parties. – Develop mechanisms or procedures for collaboration with other jurisdictions, e.g. conclude the Canada-British Columbia sub-agreement on MPAs on a priority basis. 	<ul style="list-style-type: none"> • Develop site specific collaborative models including the: <ul style="list-style-type: none"> – Development of management plans that link marine protected area objectives and other conservation objectives (e.g. species at risk, fisheries, biodiversity, unique ecosystems); – Exploration of options for working with Aboriginal Peoples on marine protected area issues; – Development of a science and traditional ecological knowledge program; and – Development of common public education and awareness programs. • Conclude collaborative management arrangements on individual MPAs, including with Aboriginal groups. • Work together to identify targets and indicators (ecological, socio-economic, and government) to evaluate the effectiveness of marine protected areas and the network. • Conduct joint or complimentary enforcement activities, where possible.

Objective 3:	Objective 4:
<p>Increase awareness, understanding and participation of Canadians in the marine protected areas network.</p>	<p>Link Canada's network of marine protected areas to continental and global networks.</p>
Activities:	Activities:
<ul style="list-style-type: none"> • Establish an MPA research program (natural and social science considerations). • Launch an internet based geo-referenced MPA mapping system. • Develop common MPA communications and public outreach tools to increase awareness of marine issues and enhance Canadian marine literacy. • Develop widely accepted definitions of key legislative and policy concepts common to all federal marine protected area programs (i.e. ecological sustainable use, ecosystem based management, precautionary approach). 	<ul style="list-style-type: none"> • Establish a regional MPA action plan with the United States and Mexico as part of the Security and Prosperity Partnership, to consider: <ul style="list-style-type: none"> – Ecological protected areas network considerations for species and habitat on each coast; – Working arrangements and priorities with the NAFTA CEC. • Provide Canadian leadership and experience to the international community on tools, techniques, and approaches to achieving existing global marine protected area commitments and additional marine protected area requirements: <ul style="list-style-type: none"> – Within the Convention on Biological Diversity; – With the Arctic Council and its working groups (in the context of the Arctic Marine Strategic Plan); – Within the context of the WSSD commitment to complete a representative network by 2012; and – For conservation and protection of the high seas.

Appendix 1: Federal Tools for Establishing and Managing Marine Protected Areas

DEPARTMENT/AGENCY	LEGISLATION	POLICIES
<p>Fisheries and Oceans Canada (DFO)</p>	<p>Oceans Act: The <i>Oceans Act</i> tasks the Minister of Fisheries and Oceans Canada with the development and implementation of a national oceans management strategy based on principles of sustainable development, integrated management and the precautionary approach. The <i>Act</i> details the responsibilities of the Minister of Fisheries and Oceans Canada in the development and implementation of integrated management plans, including the authority to recommend the establishment of <i>Oceans Act</i> Marine Protected Areas by regulation, to conserve and protect commercial and non-commercial fishery resources and their habitats; endangered or threatened marine species and their habitats; unique habitats; and areas of high biodiversity or biological productivity. The <i>Act</i> also provides the Minister of Fisheries and Oceans Canada with a lead role in the development and implementation of a national system of marine protected areas in Canada.</p> <p>Fisheries Act: The <i>Fisheries Act</i> provides the Minister of Fisheries and Oceans Canada with the authority to manage freshwater and marine fisheries throughout Canada, including providing for licensing and enforcement and provisions for closing areas to fishing, prohibiting the harmful alteration, disruption or destruction of fish habitat or the deposit of substances deleterious to fish.</p> <p>Species at Risk Act: See Environment Canada on page 15.</p>	<p>National Framework for Establishing and Managing Marine Protected Areas: The National Framework for Establishing and Managing Marine Protected Areas describes DFO's Marine Protected Areas program and outlines a step-by-step approach to designation which includes the selection of DFO Areas of Interest, assessment and evaluation of the Area of Interest as a potential MPA, and, ultimately, formal establishment of the MPA by regulation followed by the ongoing management of the area.</p>

DEPARTMENT/AGENCY	LEGISLATION	POLICIES
<p>Environment Canada</p>	<p>Canada Wildlife Act: The <i>Canada Wildlife Act</i> provides the authority for the acquisition of nationally significant habitats by the Minister of the Environment for the purposes of wildlife research, conservation and interpretation. The <i>Act</i> provides for the establishment and management of National and Marine Wildlife Areas, by regulation, to ensure the conservation and protection of key breeding, feeding, migration and over wintering sites for birds, species-at-risk and other wildlife of national importance.</p> <p>Migratory Birds Convention Act: Under the <i>Sanctuary Regulations</i> of this <i>Act</i>, the Minister of Environment may establish and manage areas of major migratory bird population concentrations, such as seabird breeding colonies or the critical habitat of migratory birds at risk, for the purposes of protecting the birds and their nests from harm/harassment. Such Migratory Bird Sanctuaries (MBS) on federal land/areas of federal jurisdiction also afford protection to habitat.</p> <p>Species at Risk Act: The <i>Species at Risk Act</i> provides the ministers of Environment, Fisheries and Oceans Canada and Parks Canada with the authority to protect nationally listed wildlife at risk from becoming extinct or lost from the wild, provides for the recovery of endangered and threatened species and encourages the management of other species to prevent them from becoming at risk. The <i>Act</i> also creates prohibitions to protect listed threatened and endangered species, their residences and their critical habitat. Conservation through stewardship and cooperation are at the foundation of the <i>Act</i>.</p>	<p>Migratory Bird Sanctuary Policy, Criteria and Procedures: The Migratory Bird Sanctuary Policy, Criteria and Procedures provides a set of criteria to identify suitable areas for establishing Migratory Bird Sanctuaries based on key habitat sites for migratory bird populations in Canada. The Policy also provides a uniform national process for sanctuary administration and outlines administrative procedures and other considerations.</p> <p>Criteria for Selecting Candidate National Wildlife Areas: The Criteria for Selecting Candidate National Wildlife Areas outlines the context of the National Wildlife Area Program as well as Environment Canada's role in habitat. The document provides a basis for establishing a minimum standard of national habitat importance, based on defensible biological values in keeping with Canada's obligations under the Convention on Biological Diversity and <i>A Wildlife Policy for Canada</i>. It also provides a basis for making decisions for the selection of new areas that are generally consistent across the country and for communicating the uniqueness and national value of areas.</p>

DEPARTMENT/AGENCY	LEGISLATION	POLICIES
		<p>Habitat Conservation Program Strategy: The Habitat Conservation Program Strategy outlines the mission and core strategies of Environment Canada in terms of habitat conservation. These include 1) the identification, designation and management of protected areas within terrestrial, fresh water, and marine ecosystems of Canada, 2) sustainable land use by demonstrating and enhancing the stewardship of habitat for migratory birds and species-at-risk and 3) advancing and communicating the science of habitat conservation.</p>
<p>Parks Canada</p>	<p>Canada National Marine Conservation Areas Act: The <i>Canada National Marine Conservation Areas Act</i> provides the Minister of the Environment with the authority to establish National Marine Conservation Areas, with the objective of protecting and conserving marine areas that are representative of the country's ocean environments and Great Lakes, and to encourage public understanding, appreciation and enjoyment of this marine heritage.</p> <p>Canada National Parks Act: The <i>Canada National Parks Act</i> provides the Minister of Environment with the authority to establish and manage National Parks for the benefit, education and enjoyment of the people of Canada and in a manner so as to leave them unimpaired for future generations. Several existing National Parks have a marine component.</p> <p>Species at Risk Act: see Environment Canada on page 15.</p>	<p>National Marine Conservation Areas Policy: Parks Canada's National Marine Conservation Areas Policy outlines the objectives of the National Marine Conservation Areas System, criteria for identifying, selecting and assessing the feasibility of potential NMCAs. The policy also provides guidance on the contents of management plans and principles for ongoing management of the area.</p> <p>Sea to Sea to Sea – Canada's National Marine Conservation Areas System Plan: The establishment of National Marine Conservation Areas is guided by the National Marine Conservation Areas System Plan. The Plan provides a description of the 29 marine regions, and the status of system planning for each region.</p>

Appendix 2: Roles and Responsibilities of Other Government Departments in Marine Protected Areas (MPA) Establishment and Management

GOVERNMENT DEPARTMENT	ROLES AND RESPONSIBILITIES
Transport Canada	Transport Canada, along with Canadian Coast Guard, is responsible for administering the provisions of the <i>Canada Shipping Act</i> which include regulation of navigation, as well as ship source pollution prevention, including control of ballast water. Depending upon the marine protected area, any or all of these responsibilities could have significant bearing on the effective management of a marine protected area.
Fisheries and Oceans Canada	As the department responsible for surveillance and control of Canada's Oceans, Canada's Maritime Forces maintain surveillance for Canadian territorial waters and the 200 mile Exclusive Economic Zone. Maritime Forces ships support management and surveillance activities of Fisheries and Oceans Canada and some environmental surveillance. Where marine protected areas are established, particularly in the offshore, their presence will contribute greatly to effective enforcement of MPA regulations.
Natural Resources Canada	Natural Resources Canada provides the legislative and regulatory framework in which non-renewable resources are managed on the east and west coasts, the Gulf of St. Lawrence and Hudson Bay. In addition, the Geological Survey of Canada is the principle source of marine geoscience information for the nation. In the course of the identification and selection of marine protected areas, geo-physical mapping has become an important tool in understanding the biophysical components of the marine environment. In addition, the provision of non-renewable resource information is a requirement in the consideration of marine protected area establishment.
Indian and Northern Affairs Canada	Indian and Northern Affairs Canada has a role to play in both the management of non-renewable resources of the Arctic Ocean, and is also the department with primary responsibility for meeting the federal government's constitutional, treaty, political and legal responsibilities for Aboriginal Peoples.
Foreign Affairs (FAC) Canada	Foreign Affairs Canada (FAC) addresses international issues to manage Canada-U.S. boundary waters and along with Justice Canada, shares responsibility for maritime boundary disputes, a consideration where marine protected areas may abut Canada's borders. In addition, FAC in collaboration with DFO, is responsible for reviewing foreign requests to conduct marine scientific research in offshore waters under Canada's jurisdiction. It is in this role that FAC will play the most direct part in the management of marine protected areas.

Appendix 3: The Federal Approach to Building a Network of Marine Protected Areas

Canada's network of marine protected areas will be built in two ways. First, to ensure that progress on the network continues, individual departments and agencies with marine protected area mandates will move forward in establishing areas that have previously been identified as candidate sites in accordance with their mandates and policies. At the same time, collective planning efforts will be undertaken within the context of broader ocean planning initiatives or other strategic planning opportunities to identify a suite of sites which may be added to the network in the future or which may require the application of additional conservation measures outside the purview of marine protected area programs.

The first stage is the identification of ecologically significant areas within the context of integrated ocean or other strategic planning initiatives and areas that are representative of Parks Canada's marine regions. This work will entail the collection, review and analysis of data from widespread sources and may require the input of many levels of government, Aboriginal Peoples, industry, non-governmental organizations, local communities, academia and scientists.

It is important to note that not all of the areas identified during this phase will become marine protected areas. In certain cases, it may be more appropriate to apply other management measures to protect and conserve identified areas. In addition, the resultant list of ecologically significant and representative areas may not be exhaustive, and additional sites may be added as new scientific or traditional ecological knowledge becomes available.

The list of ecologically significant and representative areas identified during the initial planning phase will be reviewed collectively to determine: which regulatory or non-regulatory tool, if any, is needed to ensure the conservation and protection of the area; which department or agency is best suited to implement the proposed protection or management measures; and, what interim measures, if any, are required to conserve and protect the area in the short-term.



For those areas best suited for marine protected area status, specific criteria will be developed to aid in the decision-making process that determines which marine protected area program and associated department or agency will be assigned the lead role. Again, the assignment of lead role does not mean the area will be formally designated as a marine protected area. Individual departments retain the authority to prioritize sites using their own departmental or agency specific criteria and select areas for further assessment, if desired and as resources permit.

The final selection and prioritization of marine protected area candidates remains the responsibility of each individual department or agency. Selection criteria or priority setting criteria have been developed by implementing departments to ensure environmental, social, economic and departmental priorities are all taken into consideration during the decision making process. Where possible, priority will be given to those sites that contribute to the marine protected areas network.

Endnotes

- ⁱ For the purposes of this Strategy, "Oceans Act Marine Protected Areas" (or "OA MPAs") are those established by Fisheries and Oceans Canada. The term marine protected area, Marine Protected Area or MPA refers to the generic meaning of the term.
- ⁱⁱ While the Federal Marine Protected Area Strategy applies to the ocean environment, it is recognized that Parks Canada's NMCA program also includes the Great Lakes.