

Supporting Marine Protected Area Planning

Purpose

This document outlines the current status of Marine Protected Area (MPA) planning in the Bay of Fundy and recommends steps the New Brunswick government can take to support marine conservation.

Issue Summary

Fisheries and Oceans Canada (DFO) Maritimes Region is releasing a Scotian Shelf-Bay of Fundy Bioregion marine conservation network plan, which includes sites along the New Brunswick Bay of Fundy coast. DFO is already discussing siting details with fishing representatives and other coastal industries on outer Bay of Fundy sites. Well-designed and implemented Marine Protected Areas are a valuable conservation tool that can help protect marine ecosystems, including commercial species, well into the future.

Background and Challenges

- Canada has made several international commitments related to marine conservation, most recently committing to protect 30% of Canada's marine and coastal waters by 2030 in the Kunming-Montreal Global Biodiversity Framework, adopted in December 2022.
- Marine conservation planning, led by DFO, has been underway in the Maritimes (which includes the Bay of Fundy) for over a decade. The Conservation Council has been engaging with DFO on several plan iterations. The plan is nearly completed and set to be released in 2025. While the DFO Gulf Region (which includes New Brunswick coasts along the Southern Gulf of Saint Lawrence and Northumberland Strait) is conducting some marine conservation planning, they are not as far along in the process as the Maritime Region.
- The Musquash Estuary MPA, established in 2006, is an example of a successful MPA in a commercial fishing area. It allows some forms of fishing while protecting critical

habitats. (DFO, 2019)

- Under Canada's new MPA protection standards, scallop dragging and other mobile dredging activities will not be allowed in new MPAs (DFO, 2023).
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Recommendations

Dedicate Staff to Support MPA Planning

- Provincial government departments, including Intergovernmental Affairs, Agriculture, Aquaculture and Fisheries, and Natural Resources and Energy Development, should dedicate expert staff to support MPA planning and implementation.
- Work with DFO to ensure practical solutions for overlapping jurisdictions in areas such as:
 - Intertidal zones
 - Rockweed harvesting
 - Salmon aquaculture leases and adjacent waters affected by on-lease activities

2. Prioritize Ecological Resilience in MPA Discussions

- New Brunswick should advocate for strong protections to support healthy fish populations and coastal ecosystems while considering economic impacts.
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Significance and Impact

- Marine ecosystems are under a great deal of stress, with the Bay of Fundy – Gulf of Maine ecosystem particularly susceptible to the impacts of climate change, including warming waters and significant changes in species abundance and distribution (Gulf of Maine Institute, 2024. CBC, 2022).
 - Along with effective fisheries management, responsible regulation of coastal industries, and targeted habitat restoration, marine conservation initiatives like MPAs are critical to ensuring ecosystem resilience and the future of coastal livelihoods.
 - DFO has been focusing its engagement efforts on coastal industries, especially commercial fishing associations, which have helped DFO design its site proposals. While opposition to MPAs can still be expected, economic considerations have guided the plan's development.
 - Long-term economic activities in coastal ecosystems rely on a robust and resilient marine ecosystem. Fishery management alone has not prevented declines in ecosystems and commercial species; spatial conservation tools are also needed.
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Analysis

Impact on Stakeholders and Rightsholders

1. Indigenous Nations

- Effective spatial conservation, designed and implemented in collaboration with Indigenous communities, can help rebuild the coastal and marine ecosystems that have been at the heart of Indigenous cultures and livelihoods.
- Indigenous-led conservation efforts, such as Indigenous Protected and Conserved Areas (IPCAs), allow Indigenous communities to take a leadership role in marine protection.
- Protecting marine ecosystems aligns with treaty obligations under the *Peace and Friendship Treaties*.

2. Coastal Industries

- MPAs will, at minimum, restrict fishing efforts inside MPA borders (lobster) and exclude some high-impact fisheries entirely (scallop dragging).
- Effective MPAs can increase species abundance and diversity over time, creating commercial opportunities in waters adjacent to MPAs. The fishing industry is being extensively consulted and is influencing network design.
- Industries such as salmon farming, seaweed harvesting, and shipping may face new regulations depending on the location and design of MPAs. Industry representatives are already in discussion with DFO through the Progressive Protection Council and will be involved in the planning stages once an Area of Interest (AOI) is declared and the MPA design and implementation is carried out.
- Coastal tourism is likely to benefit from MPAs. Promotion of MPAs will help highlight a region's ecological significance and the charismatic animals (whales, seabirds), ecological features (tidal whirlpools), and landscapes (Western Isles archipelago) that make it special. Coastal tourism operations that can benefit from an MPA include whale watching, kayak excursions, guided scuba diving, and accommodation in known tourist hotspots or in small coastal communities or islands.

Risks and opportunities

Risks:

- Should MPAs be implemented without sufficient resources, monitoring, and enforcement, there is a risk they may not be effective and contribute little to ecosystem resilience.
- Implementing MPAs risks conflicts in coastal areas, especially between competing ocean users. Proactive and collaborative engagement with rightsholders and stakeholders can mitigate this risk. However, continued ecosystem decline and degradation could lead to greater conflict as economic activities become less viable.

Opportunities:

- Effective conservation can support and increase biodiversity and ecosystem resilience.
- Marine Protected Areas draw federal government, academic, and private resources to study and understand a marine area. Increased research will deepen our understanding of a protected area and its surrounding waters, allowing for more informed decision-making.
- The tourism sector can benefit from the increased biodiversity and promotion associated with an MPA.

Current status

- DFO Maritimes Region (covering New Brunswick's Bay of Fundy Coast) is finalizing its Marine Protected Area network plan to be released in 2025. A draft of this plan was presented for public comment in 2024 (DFO, 2024). Further, DFO has held extensive conversations with coastal industries, especially the commercial fishery, and some conversations with Indigenous Nations, ENGOs, and coastal communities.
- DFO Gulf Region has yet to release a draft of its network plan.

Key Contacts

Matt Abbott, Marine Program Director and Fundy Baykeeper, Conservation Council of New Brunswick | matt.abbott@conservationcouncil.ca | 506.321.0429