

Public Submission to the Cohen Commission

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Marine Spatial Planning

A missing link?

Perhaps Yes. Perhaps No.

But one striking omission from the Cohen Commission expert witness and DFO testimony has been the issue of marine spatial planning.

I urge the Cohen Commission to recommend that future policy directions at the DFO should include

- better strategic management
- development of marine spatial planning
- application to areas where there is ecosystem stress
- better decision making based on marine spatial planning.

General

Marine spatial planning is not an alien concept in fisheries planning. It is a concept applied globally and certainly by the USA in the Pacific region. Indeed the DFO in the Atlantic provinces is also an active participant in applying marine spatial planning¹.

So why not in BC?

I find it hard to accept that institutional and organisational myopia prevents DFO from managing fisheries (as best they can) under a broader marine use, planning structure. But evidently spatial marine planning is an abstract, not practical tool in the Pacific DFO region. And, correctly, if the salmon fishery issues are to be addressed, marine spatial planning has to be tied to fresh water lake and river ecosystem management.

I trust the myriad of science and organizational studies relating to the Fraser River sockeye will help the Cohen Commission elucidate the cause and potential cause of the dramatic volatility in sockeye returns. But I cannot help be dismayed by the seeming lack, on a going-forward basis, of modern strategic marine use plans and policies.

A great deal of the testimony and expert evidence has focussed on marine use conflicts between the aquaculture industry and other marine users and between the aquaculture industry as an ecosystem and other ecosystems. In the absence of marine spatial planning, this has

¹ Roland Cormier, Canada: CMSP implementation in the Canadian Ocean policy; in : **ICES, WKCMSP REPORT 2011 JOINT SCICOM/ACOM STRATEGIC INITIATIVE ON AREA-BASED SCIENCE AND MANAGEMENT (SIASM) ICES CM 2011/SSGHIE:01**; <http://www.ices.dk/reports/SSGHIE/2011/WKCMSP11.pdf>

devolved, in my view, into a clash of property rights not an examination of reasonable use of the ecosystems.

Where, for example, are the type of maps common in land use planning, that define areas of conflict, ecosystem sensitivity or potential risks? Despite Vancouver and BC having a plethora of skilled marine system planners, there is scant evidence of marine spatial planning being widely applied in the management of the Pacific fisheries by federal regulators.

The essential features of marine spatial planning are:

- 1) Sustainable management**
- 2) Ecosystem approach**
- 3) Long term perspective and objectives**
- 4) Precautionary Principle**
- 5) Participation and Transparency**
- 6) High quality data and information basis**
- 7) Transnational coordination and consultation**
- 8) Coherent terrestrial and maritime spatial planning**
- 9) Planning adapted to characteristics and special conditions at different areas**
- 10) Continuous planning**

Source (ICES, 2011)

If these concepts are embraced by DFO in the Atlantic Provinces, why not embrace the same concepts in the Pacific Region?

What might be the benefits of marine spatial planning?

Essentially they are (and I adapt these for ease of simplicity from a Scottish Regulatory Impact Assessment ²)

General

- Reduced planning risk and uncertainty;
- A more informed site selection process for industry and aquaculture;

² FINAL REGULATORY IMPACT ASSESSMENT : Title of Proposed Regulations: 1. This Regulatory Impact Assessment relates to the Marine (Scotland) Bill., April 2009:

<http://www.scotland.gov.uk/Publications/2009/05/08114901/1>

- Delivery of sustainable development;
- Optimising administrative costs and resources, including:
- More efficient management of applications for marine and/or river development;
- Better understanding of future demands for development applications;
- Improved environmental objective setting; and, possibly
- Reducing the costs of undertaking industry specific Strategic Environmental Assessment by virtue of the fact that these can draw strategic information from the plan and the planning process;
- Meeting international obligations;
- Helping to deliver the aims of a Marine Strategy Framework Policy (if it existed)
- Improving prospects of increased awareness and ownership of marine conservation features and issues, particularly amongst users, regulators and decision-makers.

Economic

- Allows greater confidence for industry when planning new development (and not just salmon aquaculture) and a reduction in conflict between competing users;
- Provides rational allocation of space in the marine environment that will help to deliver a strategic vision for the coastal Pacific marine area in accordance with government priorities and further, optimise future allocations;
- Promotes efficient use of space and resources, in a way that reduces impacts on other users and the environment.

Environmental

- Ensures there is space for biodiversity and nature conservation measures and places biodiversity commitments at the heart of planning and management;
- Safeguards the marine historic environment;
- Provides a system of objectives, targets and actions in order to achieve nature conservation objectives;
- Provides a broad framework within which to understand and maximise the value of a network of multiple-use sites and highly protected marine areas.
- Offers a key tool to pre-empt or address cumulative effects on the natural environment.

Social

- Improves the opportunity for stakeholder involvement, particularly in lower level planning. However, it is important that stakeholder engagement is timely, transparent and not simply focussed on data gathering in order to ensure a more participative decision-making process.

(Adapted from RIA, April, 2009, Scottish Marine Bill)

Absent use of marine spatial planning in the Pacific region, that is accessible to all the stakeholders, it is hard to see how all or any of the stakeholders can adequately address fisheries risk under the present DFO regulatory regime.

Without disparaging the skills of the expert witnesses at the Cohen Commission, my view is that there are institutional barriers (especially related to property rights) that impede if not prevent integrated fisheries management.

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