

MEETING NOTES

Race Rocks Public Advisory Board Meeting #5

10:00 – 15:00, 23 November 2010

Pearson College, Victoria, British Columbia

Meeting Goal:

To receive feedback and input for the Race Rocks Public Advisory Board (the Board) in order to move the designation process forward.

Objectives:

1. To update the Board on progress to date
2. To continue to develop the Conservation Objectives
3. To receive feedback on the Ecosystem Overview and Assessment Report
4. To receive feedback on the Socio-Economic Report
5. To discuss the draft Management Plan / Recommendations Document

Attendees:

Chris Blondeau, Pearson College	Gabrielle Kosmider, Fisheries & Oceans Canada
Stefan Beckmann, Fisheries & Oceans Canada	Canada
Rosaline Canessa, University of Victoria	Angus Matthews, Shaw Ocean Discovery Centre
Chantelle Coulson, Fisheries & Oceans Canada	
Garry Fletcher, Race Rocks Ecological Warden	Glen Rasmussen, Fisheries & Oceans Canada
Hilary Ibey, Fisheries & Oceans Canada	Aaron Reith, First Nations Liaison
Sabine Jessen, Canadian Parks and Wilderness Society, BC	Tomas Tomascik, Parks Canada Agency

Facilitator: Jessica Delaney – Delaney and Associates Inc.

Items for Discussion

ITEM
<p>1. Welcome – Glen Rasmussen on behalf of Fisheries & Oceans Canada</p> <p>It is recognized that many people may be missing due to the inclement weather and that some key stakeholders may not be present.</p> <p>Thanks for the use of the traditional First Nations territories.</p> <p>General Notices</p> <ul style="list-style-type: none"> - Board changes: Glen Rasmussen has returned as the Integrated Coastal Zone Management Coordinator, after an 8 month assignment in Enhancement, Hilary Ibey is here as the Marine Planning and Protected Areas Specialist, Stefan Beckmann is here as the DFO Conservation and Protection representative. - DFO will be sending out a letter to representatives of the commercial fishery <ul style="list-style-type: none"> o how this will impact their fishery o the letter will be sent out with a deadline for comments of January 15 o the letter will also be sent to First Nations Commercial Communal licence holders

- T'Sou-ke is the only licence holder in the area
- This is the 5th meeting of the RRPAB.
 - There is one more meeting planned before submission of the regulatory package.
 - The 6th meeting will be the last meeting before the regulations go out.
 - Any missing stakeholders will be pursued through bilateral meetings.
 - The RRPAB will have a clear understanding of what the Regulatory Intent will look like.
 - Hopefully, Christie Chute, DFO National Headquarters will be able to attend the final meeting to answer any questions about the regulatory process
 - The regulations themselves are secret - while they are being worked on.
 - DFO is planning to have a meeting once the regulations are Gazetted to make sure that all are “on board”
 - Concern was expressed by a member regarding the past designation process; the regulations that were Gazetted were different than those presented to the RRAB.
 - The focus of this meeting will be Conservation Objectives and Management Plan/ Recommendations document

2. Introductions

Round table – refer to list of attendees

3. Meeting #4 Agenda

a. Review

b. Discuss / amend / approve

- Approved
- A Board Member expressed concern with representation of Board at meeting
 - Absence of Marine Wildlife Viewing, Fishing, and Diving communities.
 - DFO will be pursuing bilateral meetings with those constituencies not represented here today.

4. Meeting #4 Minutes - discuss comments / amend / approve

Review of Action Items:

<u>Log Number</u>	<u>Responsible</u>	<u>Action</u>	<u>Status</u>
09-11-01	DFO	Investigate lower than 300m flights over Race Rocks as part of the DFO creel survey. (carried over)	Paul Cottrell Email Read – done
10-03-04	DFO	DFO is to provide updates the Board on a timely basis, so that they can report to constituents.	done
10-03-07	RRPAB	Board members to prepare a recommendation to state this (w.r.t to Socio-Economic Report)	strike
10-03-08	RRPAB	Board members to prepare a recommendation that gaps be identified and prioritized and a commitment be made to research	strike
10-05-01	RRPAB	Board members to review recommendations from Richard Delaney's summary report and provide feedback – he will then provide all this feedback to DFO.	done

10-05-02	DFO	DFO to request MPAIT provide the RRPAB with a briefing on the updated Marine Protected Areas Strategy	Hilary update
10-05-03	DFO	DFO to revise draft Vision to reflect Board input.	done
10-05-04	RRPAB	Board to review Incompatible/Compatible Activities document over the next two weeks and provide input to DFO.	done
10-05-05	DFO	DFO to include “What an MPA Regulation looks like” as an agenda item for the next meeting.	done

Minutes from Meeting #4 adopted.

5. First Nations Update

First Nations update

- DFO has met with Chief Andy Thomas of the Esquimalt First Nation.
- Chief Andy Thomas of Esquimalt First Nation has been dealing with environmental contamination of traditional lands
 - o affecting ability to harvest food
 - o this is a serious issue
- DFO must be aware and address Douglas Treaty rights in working with local First Nations communities.
- DFO is going to share the MOU (Beecher Bay First Nation, Songhees Nation, T’Sou-ke Nation and DFO) with Esquimalt First Nation, as well as the Terms of Reference for the Government-First Nations Management Board to see whether they would like to be involved in this manner.
- DFO is planning community meetings in the other three Communities
 - o Looking for feedback on any concerns, how they use the area, how they want to be involved in the MPA.
- Aaron Reith is back on contract and will continue to act as liaison to with Beecher Bay First Nation, Songhees Nation, and T’Sou-ke Nation; working on the Terms of Reference and community meetings.
- In response to questions regarding commercial fisheries from RRPAB members, clarification was provided that all fishing is “closed unless open” and Communal Commercial fishing licences are subject to the same rules as any other commercial fishing.

6. Conservation Objectives Discussion – Glen Rasmussen - DFO

- Please see presentation under separate cover.
- MPA only covers what is in the water
 - o Internal boundary excludes the land.
 - o Anything brought in for protection must consider that things could be occurring in the intertidal
 - o Protection must be coordinated closely with the provincial Ecological
- In response to a question of if the Province manages the seabed, how are the organisms on the seabed managed? Clarification was provided by DFO that all fish are protected under the *Fisheries Act*.
- A Board member expressed concern that there might be gaps in jurisdiction or conflicts over “who controls what”.
- Clarification was provided in response to Board member questions regarding Aboriginal fishing for Food, Social and Ceremonial purposes in a MPA
 - o To do this DFO issues an Aboriginal communal fishing licence to the First Nations

- group
 - Some communities feel they do not need a licence, as they have a treaty (Douglas Treaty)
 - In order to put this into a regulation, DFO must issue a licence
 - DFO is working with legal services on language surrounding this
- A Board Member expressed that Douglas Treaty rights should be respected and as a Board Member would like to be on record as not supporting this.
- A Board Member expressed concern with Coast Guard maintenance, DND activities and DFO Creel surveys in MPA
- Concern was raised by Board members regarding 60 day advance notice for Activity Plan submissions and need for flexibility.
 - DFO responded by outlining the need for having some way to approve, and record activities that are happening in this area, to be used as a management measure; will increase knowledge of area.
 - Could look at annual submissions by dive community, marine wildlife viewing and educational institutions.
 - There is no cost for applying.
- A Board Member suggested having this discussion at the next meeting, when Marine Wildlife Viewing might be present
- A Board member suggested looking at what is being used in other protected areas, in terms of approvals.
- DFO (Stefan Beckmann) will look at other models (for example Parks Canada) where approvals are issued for protected areas.
- DFO responded that a process needs to be developed that works for the needs of the Race Rocks MPA, but allows the Conservation Objectives to be met.
- There must be a way to address cumulative effects.
- A Board member expressed concern with Reporting of Accidents
 - Feels that 2 hours for reporting is too long
 - DFO can bring this forward to Coast Guard
- Board Members expressed concern with follow up reporting for accidents
 - Where are they found?
 - This could be a role for the Ecoguardian
 - To liaise and inform what is happening in the MPA.
- There is an overarching vision for the MPA – especially since Race Rocks is coordinated with the Ecological Reserve
- The focus, however, because of the structure of the MPA, is on achieving scientifically based Conservation Objectives.
- It is difficult to list things, unless they directly impact the Conservation Objectives
- DFO Science is will be working with the Conservation Objectives to develop Monitoring Objectives.
- Concern was raised by a Board Member over how bathymetrically unique the area is.
- A Board Member expressed that the First Order Conservation Objective might be too general
 - Did not express long term goal.
- A Board Member expressed that DND should be added as an activity to the

Incompatible/Compatible activities table

- DFO responded that DND is not an activity, but a stressor
- In response to a request by DFO for any other stressors missing from the table, Board members offered.
 - Coast Guard activities
 - College activities
 - Could be positive or negative
 - Vessel traffic from ecotourism needs to be broken down
 - For example – kayakers vs. vessels
 - In response to a Board member's concern over DND activities, DFO clarified that this could not be managed through regulations, as DND activities will have an exemption, but a cooperative relationship will be continued.
- Board Members recommended that Renewable Energy be re-termed as Tidal, Wave and Wind Energy.
- A recommendation was made by a Board Member for DFO to contract the Ecoguardian at Race Rocks to complete the table.
 - The Values Document should provide some of the information.
- DFO questioned the Board whether an exemption would be required for the tidal generator
 - If any replacements or removal is anticipated, the activity might not be permitted without an exemption.
- A Board member brought up underwater camera installations and the Tribal Journeys program as potential considerations.

Action Item – 10-11-01 DFO to refer to values input document and synthesize into the compatible/incompatible activities table.

7. Socio-Economic Report – Gabrielle Kosmider - DFO

- Ryan Murphy and Raisa Mirza have provided a draft Socio-economic Report.
- Some minor edits are still required, but overall a very good piece of work.
- In response to a Board Members concern that the Socio-economic Report did not have enough numbers, in terms of economics, growth, etc., DFO clarified that for this MPA, there is not a lot of risk associated with it i.e. there is not a significant cost associated with the regulation. As a result of this low risk, an extensive Cost-Benefit analysis is not required; instead a more qualitative analysis can be done.
- In response to a Board Member's suggestion that this Report be adopted and the Sunderman 2009 Report be discarded, DFO explained that all three Socioeconomic
- Please submit any comments on the Socio-Economic Report to DFO by January 5, 2011.

8. Ecosystem Overview and Assessment Report – Glen Rasmussen - DFO

- Please refer to presentation under separate cover.
- A Board member expressed concern about the Ecosystem Overview and Assessment report.
 - No plankton studies
 - No mention of work done by Archipelago Marine.
 - No mention of Scott Wallace Abalone work.
 - No mention of River Otters
 - Four elephant seals pups in Spring 2010
 - Concern with Juan de Fuca Strait being used to describe Race Rocks

- Feels that report needs more development.

9. Management Plan – Recommendations Document – Glen Rasmussen - DFO

- Please refer to presentation under separate cover.
- A Board Member stated that the Recommendations do represent consensus of the RRPAB.
 - Feels that the answers provided to the recommendations are not satisfactory
 - Feels that people are looking for guarantees of what the MPA will look like after designation.
 - DFO responded by explaining they have a draft Management Plan; normally this would not be as well developed prior to designation, but it was advanced in order to illustrate where Board recommendations would appear in the Management Plan sections.
- In response to a Board Member’s questions, DFO explained that the draft Management Plan will evolve as it developed and will involve participation of the GFNMB, the Province of British Columbia and the public advisory Board. The Province of British Columbia and First Nations are intended to be on the management Board. National guidance is to have a stakeholder advisory Board and a management Board.
- In response to a Board Member’s concern that the Province was/would not be involved in the MPA process, DFO explained that the province leads MPAIT and their involvement is very important, although they might be getting involved at a different level in the process than is apparent to the Board.
- In response to a question of why DND fell under the Governance section of the draft Management Plan, DFO explained that the proposed MPA is in the buffer zone of Whiskey Quebec.
 - Board member does not believe that DND has governance over the buffer zone.
- In response to a Board member’s concern about birds being ignored in the MPA and the absence of Environment Canada, DFO explained that the Conservation Objectives cannot include birds, as they do not fall under the mandate of an Oceans Act MPA, but this does not mean that these objectives cannot be included in how the MPA is intended to be Managed.
- Some Board Member feedback
 - Education and Outreach needs to be developed
 - The draft Management Plan should include goals for the next 5 years for each section.
 - With a timeframe of some of the activities and measurable for the next 5 years to provide a picture of what is going to be achieved in
 - In reality DFO is seriously under resourced for Surveillance and Enforcement
 - There is a case for 24 hour surveillance in the MPA
 - DFO should make financial commitments to the Ecoguardian; human presence is of great value.
 -

Action Item – 10-11-02 DFO to confirm DND’s governance role in the buffer zone of Whiskey Quebec.

10. Next Meeting / Adjournment

- The Regulatory Intent package will be the focus of next meeting.
- DFO is planning on having Christie Chute from DFO National Headquarters attend the next meeting to answer any questions about the regulatory and legislative process.
- Next meeting will be held in the early spring.
- It will be the final meeting before the regulatory intent is finalized

- Please submit any comments on the draft documents provided to DFO by January 5, 2011.
- DFO Closing: Thanks. Board participation is important to the Department. Thanks to Pearson College for lunch and hosting.
- Meeting adjourned.

<u>Log Number</u>	<u>Responsible</u>	<u>Action</u>	<u>Status</u>
10-11-01	DFO	DFO to refer to values input document and synthesize into the compatible/incompatible activities table.	
10-11-02	DFO	DFO to confirm DND's governance role in the buffer zone of Whiskey Quebec.	