



**Committee of Advisors
to the
Great Lakes Fishery Commission**



Resolution 19-02: Marine Sanctuaries and Protected Areas

Whereas in 2016 the GLFC U.S. Committee of Advisors submitted “A Resolution Calling for Clarification in the Federal Ability to Impose Fishing Restrictions in Marine Sanctuaries”, and

Whereas such clarification has not yet been incorporated into U.S. legislation approved by Congress, although legislation is pending, and

Whereas in Canada, marine and inland waters may be protected under the Wildlife Act as a marine National Wildlife Area or under the Canada National Marine Conservation Areas Act as a National Marine Conservation Area, both of which allow for the making of regulations with respect to the harvest of fish and wildlife although these powers have never been used to restrict fishing, and

Whereas the National Marine Conservation Areas Act, Section 16(1)(c) gives Parks Canada the authority to regulate fisheries in conjunction with Fisheries and Oceans Canada, and

Whereas Fisheries and Oceans Canada retains the authority, under the Fisheries Act, to regulate the fisheries in all federal marine protected areas and delegates this authority to the Province of Ontario for the management of fisheries in the Great Lakes, and

Whereas marine protected areas could be effective means to conserve important fish habitat, enhance the production of food fish, and promote recreational use of an area, and

Whereas under the U.N. Convention on Biological Diversity, the 2020 “Aichi” targets for national protected areas are 17% of inland territory and 10% of marine territory, and Great Lakes designations would help meet the 17% inland target which Canada is committed to meet, and

Whereas Parks Canada has a mandate to establish National Marine Conservation Areas in all five designated Marine Regions on the Great Lakes, two of which have already been established on Lakes Superior and Huron, without regulations that affect fisheries in those areas, and

The opinions expressed here are those of the independent committee of advisors and not necessarily those of the Great Lakes Fishery Commission. The Committee of Advisors consists of both U.S. and Canadian representatives from First Nation, commercial, recreational, academic, agency, and public fishery interests in the Great Lakes Basin. Advisors provide advice to the Great Lakes Fishery Commission; U.S. advisors are nominated by the State Governors and appointed by the commission. Canadian advisors are nominated by the Ontario Minister of Natural Resources and Forestry and appointed by the Minister of Fisheries and Oceans Canada.

Whereas two new potential National Marine Conservation Areas have been proposed by non-governmental interests within Ontario waters of Lakes Erie and Ontario and feasibility assessment has yet to be conducted jointly by the Province and the government of Canada, including consultation with Indigenous, sport and commercial fishing interests and Lake Committees, and

Whereas the Province of Ontario has not yet been engaged by Parks Canada in the consideration of any new areas in Lakes Erie, Ontario or other Great Lakes, and

Whereas the Council of Great Lakes Fishery Agencies has expressed concern that sanctuary proposals in the Great Lakes basin could move forward with little or no communication or input from Joint Strategic Plan members, and

Be it resolved that the Great Lakes Fishery Commission express concern to the governments of Canada and the U.S. that appropriate consultation about Marine Sanctuaries and Protected Areas has not yet taken place among all interested and potentially affected parties related to the fishery, and

Be it further resolved that the establishment of Marine Sanctuaries and Protected Areas include provisions to protect and rehabilitate fish habitat and fish productivity in order to better sustain harvests and related socio-economic benefits in the Great Lakes, and

Be it further resolved that the designation of Marine Sanctuaries and Protected Areas not weaken the existing jurisdiction of fishery management or regulation, and

Be it further resolved that the Great Lakes Fishery Commission offer to facilitate deliberation through the Lake Committees and other collaborative bodies of the role of Marine Sanctuaries and Protected Areas in sustaining Great Lakes fish harvests and high quality habitat.

Passed unanimously
Canadian and U.S. Committee of Advisors
May 29, 2019