

Clarifying Misconceptions About Marine Protected Areas

A Continuing Series from the National Marine Protected Areas Center

Misconception: Marine protected areas are a new or recent resource management tool.

Reality: Resource managers have used place-based management, such as marine protected areas (MPAs), for decades to manage the marine resources of the United States. Examples of MPAs include the nation's 13 national marine sanctuaries and dozens of fishery management zones administered by NOAA, national parks in the marine environment administered by the Department of the Interior's National Park Service, and comparable state programs.

The first national marine sanctuary was established off Cape Hatteras, North Carolina in 1975 to protect the USS Monitor, a civil war ship that sank in 1862. The area around the wreckage was deemed a marine protected area in order to prevent further deterioration of the wreck, recover important ship components and artifacts, and protect the wreck from damage by human activities, such as vessel anchoring and fishing.

The National Park Service has operated parks in the marine environment for a longer period. For example, Everglades National Park was established in 1947, and protects more than 100 miles of coastline, including an extensive mangrove estuary, shallow tropical bay, and seagrass beds. It is the only subtropical preserve in North America. While there are some restrictions on water activities, including fishing and recreational activities, there are areas where fishing and boating are permitted.

MPAs complement other management measures such as fishery regulations and pollution controls. For example, NOAA's National Marine Fisheries Service administers gear-restricted areas to protect vital fish habitat areas around the country.

All in all, MPAs are not new, but they are gaining a new emphasis as a resource management tool.

Misconception: There is a federal mandate to set aside 20 percent, or another percentage, of U.S. waters as marine protected areas.

Reality: The federal mandate on marine protected areas, outlined under Executive Order 13158, does not include any recommendation or requirement for percentages of U.S. waters to be closed off for fishery management purposes, biodiversity or habitat protection, or for other conservation or management purposes.

The language in the Executive Order is clearly stated under Section 1, where the purpose of the Executive Order is articulated. In it, the President states that the purpose of the mandate is to:

- Strengthen the management, protection, and conservation of existing marine protected areas and establish new or expanded MPAs;
- Develop a scientifically based, comprehensive national system of MPAs representing diverse U.S. marine ecosystems, and the nation's natural and cultural resources; and
- Avoid causing harm to MPAs through federally conducted, approved, or funded activities.

To clarify, the Executive Order does not establish any new MPAs nor does it provide new regulatory or statutory authority to establish new MPAs. Rather, it calls for an evaluation, including an inventory, of the current collection of MPAs; the creation of a publicly accessible resource center on MPAs; and the establishment of an MPA Federal Advisory Committee to provide expert guidance throughout implementation of the Executive Order. New MPAs may be established consistent with public review processes specified in existing statutes, such as the National Marine Sanctuaries Act and the Magnuson-Stevens Fishery Conservation and Management Act.

Misconception: All marine protected areas (MPAs) are no-take or no-fishing zones.

Reality: The term marine protected area is actually a broad umbrella term that encompasses a wide, and sometimes surprising, variety of area-based approaches to marine conservation, and not just no-take areas. In fact, less than 1 percent of U.S. waters are no-take areas. Instead, the majority of U.S. MPAs are multiple use conservation areas that often permit both consumptive and non-consumptive activities, such as fishing, diving, boating and swimming.

Examples of multiple use MPAs include most national marine sanctuaries, national estuarine research reserves, national parks and wildlife refuges with marine components, and many state underwater parks. These multiple use MPAs function both to protect ecosystems and, at times, to support sustainable fisheries while allowing residents and other users

to enjoy the resource. Potentially harmful activities, like fishing, are sometimes managed in MPAs through specific gear restrictions or through zoning schemes that allocate use to appropriate habitats and/or seasons.

Although rare, no take areas, also called marine reserves, are sometimes used to protect spawning or nursery grounds, or to protect ecologically important deep-water habitats. Some are used as research and monitoring zones to serve as a baseline that allows comparisons by managers and scientists of undisturbed control areas to those impacted by human activities. Of the few no-take areas in U.S. waters, most are small and interspersed within larger areas that allow consumptive uses.

Efforts to incorporate no-take areas into existing coastal and ocean management are occurring in many states. In Florida, Tortugas Ecological Reserve, managed by the Florida Keys National Marine Sanctuary and the National Park Service, is an example of a marine reserve where taking of marine life is prohibited and vessel discharges are restricted. The Reserve was established to protect the diverse marine life and lush coral reefs after input from a 25-member working group that included commercial and recreational fishermen, divers, scientists, conservationists, citizens-at-large and resource managers. Two other examples include the recent approval of California's Channel Islands Marine Reserves, and Oregon's ongoing efforts to evaluate marine reserves as a conservation tool.

Research into the long-term ecological effects of creating marine reserves at these and other sites will help guide the design of future MPAs. On land when we think about our national parks, we think of them as areas where we can enjoy the great splendor and serenity of the surroundings. They are national treasures where people of all backgrounds can partake in a variety of activities. Some national parks allow fishing, kayaking or boating, hiking, and even hunting. There may be limits on the amount or level of extractive activities, but most Americans agree that those limits are necessary to protect the longevity of the parks. MPAs can be characterized similarly, and taken as one type of management tool that serves to protect the resources within from permanent or irreversible damage.

Misconception: The Marine Protected Areas (MPA) Initiative, outlined in Executive Order 13158, replaces existing federal and state laws or regulations regarding MPAs.

Reality: The MPA Initiative, which established the MPA Center and detailed the call for a national network of MPAs, does not include any mandate to override existing federal or state laws, regulations, or procedures.

It does not order the creation of new authorities or supersede existing regulatory or statutory authorities to protect marine resources. It merely establishes a framework through which federal and state agencies can better coordinate their resource protection initiatives. In fact, the Executive Order specifically states that the work of the MPA Center is intended to support, not interfere with, agencies' independent exercise of their own authorities.

Both the Departments of Commerce and the Interior, along with other federal agencies, are working with states, territories, commonwealths, tribes, and other entities towards the effective design and management of marine protected areas. Part of this coordination involves collecting data for an inventory of marine protected areas and marine managed areas across the country. This inter-agency collaboration enhances existing protections and creates a national system of marine protected areas.

Some examples of existing federal MPA legislation includes: the Coastal Zone Management Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, Marine Mammal Protection Act, National Marine Sanctuaries Act, National Historic Preservation Act, National Wildlife Refuge System Administration Act, and the Wilderness Act, among others.

States use a wide variety of site designation authorities. General resource laws are used to provide protections for natural and cultural marine resources. These are supplemented by special area designations that take into account the resources, socio-economic benefits, and ecosystem services provided within distinct coastal areas, while tailoring regulations and policies to local or regional circumstances.

State regulations fall under categories of coastal management, environmental policy, land use governance, parks and recreation codes, fish and game provisions, and historic preservation laws. In some cases, states simply institute policies or goals for a special area, or type of species, such as shellfish, for protection through MPAs.

Misconception: There are no marine protected areas or marine managed areas in the Great Lakes.

Reality: Marine protected areas (MPAs) and marine managed areas (MMAs) are not just in deep or coastal marine waters. In fact, there are at least 15 federal MPAs and MMAs located within the Great Lakes. The number of state sites is still being counted.

These areas include a national marine sanctuary, a national estuarine research reserve, eight national wildlife refuges, and five national parks. They cover a diversity of natural and cultural resources in lakes Superior, Ontario, Michigan, Huron, and Erie.

The Thunder Bay National Marine Sanctuary, which is also a state aquatic preserve, is located in Lake Huron, off the coast of Michigan. One of its more unique elements is the 160 shipwrecks it contains, dating back more than 100 years. Michigan protects a total of nine underwater preserves, which amounts to nearly 1,900 square miles of the region's most sensitive submerged resources. These wrecks provide clues to our Great Lakes history.

On Lake Michigan, about 50 miles southeast of Chicago, is the Indiana Dunes National Lakeshore. The Indiana Dunes is considered a marine managed area because its aquatic boundaries contain vital bogs and coastal wetlands, in addition to beaches and dunes.

In addition, Isle Royale National Park, accessible only by boat or float plane, is considered a marine managed area because its aquatic elements include submerged lands that extend four and a half miles into Lake Superior. Founded in 1931, the park encompasses a total area of 850 square miles.

While the majority of marine protected areas and marine managed areas are in oceanic waters, a significant number exist within the nation's Great Lakes.



Misconception: Marine protected areas are strictly an American concept.

Reality: While marine protected areas have been used as a management tool in the United States for decades, many other countries are also focusing on the effectiveness and use of MPAs.

Here are a few international examples.

- In Australia, the government is developing a national system of marine protected areas, and in the last decade alone, has declared more than 78 marine protected areas. The government's goal is to create a system that is comprehensive, adequate, and representative.
- Canada is also working on developing a network of MPAs. Under its Oceans Act, it has identified 13 areas of interest across the nation. By identifying these key areas, the Canadian government hopes to facilitate the

evolution of the national process for establishing MPAs, to protect certain areas that need early protection and management, and to evaluate and demonstrate the effects of MPAs in marine conservation and protection. Canada designated its first MPA, the Endeavour Hydrothermal Vents located southwest of Vancouver Island, in March 2003.

- In Southeast Asia, increasing threats to biodiversity come from coastal development, collecting of endangered species, ornamental trading, overexploitation, pollution, and tourism. Countries including Cambodia, Indonesia, Philippines, Thailand, and Vietnam each have an MPA system, and are evaluating their respective MPA status, threats, and management.
- South Africa and Mozambique just this month announced four new MPAs that include mangroves, coral reefs, estuaries, and hundreds of fish species. With MPAs already established in Kenya and Tanzania, an MPA network is underway in the region to protect coastal biodiversity and help alleviate pressure on declining fish stocks. And in West Africa, Senegal's fisheries minister announced the creation of four MPAs in the country's coastal zone to sustain fisheries and protect biodiversity.
- In July, European environment ministers announced that a network of protected areas to safeguard sea fish and coral from the northeast Atlantic Ocean to the Baltic Sea was needed by 2010.

While marine protected are gaining a new emphasis as a resource management tool in the United States, they are also garnering strong notice internationally. The World Parks Congress, a symposium of 3,000 representatives from land and marine protected areas around the globe, gathered for 10 days in South Africa in September 2003. One of the congress's recommendations calls on governments to increase the amount of protected marine and coastal areas in their waters.



Misconception: The majority of marine protected areas and marine managed areas are in federal waters.

Reality: The complexity and diversity of marine protected and managed areas under state, commonwealth, and territory jurisdiction adds up to hundreds of sites, established under numerous legislative acts. Federal data on marine managed and protected areas is nearly complete, and the number of sites is well over 250. But there are more sites found in state, commonwealth, territory, and tribal waters.

In fact, the MPA Center has estimated that there will be between 1,000 and 1,500 total sites included in the inventory database when the collection process is finished. The database will be accessible on the official U.S. MPA website. Once complete, the inventory will then be used to create a list of the nation's marine protected areas.

Local officials, resource managers, and others will be able to search the database by various features including management measures, restrictions, natural and cultural resources, and habitat types. They will also be able to access local and regional maps of sites created using geographic information systems (GIS).

There will be many benefits to using the database. Users will have the capacity to access information that will help them better identify issues that may require collaboration, such as regional initiatives, species migration patterns and area protections, fishery management options, beach closures, cultural artifacts and resources in need of protection, and specific monitoring and evaluation methods.

The MPA Center plans to complete a full draft of the inventory database over the next year. Currently, data is posted online once it has been reviewed and approved by the appropriate agencies and officials.

To learn more about marine protected areas, visit <http://mpa.gov>.

