

**Draft NPFMC Staff comments**  
**on development of the American Conservation and Stewardship Atlas**

The Atlas is intended to serve as a baseline of information on lands or waters that are conserved, and also serve as tool through which to measure the progress of conservation and stewardship that reflects the goals and principles of the initiative. It is with this understanding that we make the following comments on development of the Atlas, based on the topics identified in the Federal Register request for information.

**Science and Data. What data sources, standards, and technical approaches should be applied to data included in the Atlas to ensure that it is an authoritative and useful tool for the public?**

The first step in establishing a database of conservation areas is to define the term ‘conservation area.’ From our perspective, a conservation area is an established, geographically defined area, with planned management or regulation of activities that provides for the maintenance of biological productivity and biodiversity, ecosystem function and services (including providing recreational opportunities and healthy, sustainable seafood to a diverse range of consumers).

The data for each conservation area should originate with the agency who actively developed and manages the area. The agency must further certify that the data in the Atlas for these areas is accurate. For example, NOAA Fisheries, rather than NOAA National Ocean Service, should be the provider, auditor, and evaluator of data for conservation areas established through their agency. This comment is based on our experience with other agencies attempting to summarize fishery related conservation areas. As noted by the North Pacific Council in letters to NOAA, the Protected Seas database developed in coordination with the National Ocean Service does NOT accurately reflect conservation areas established to regulate fisheries in the North Pacific EEZ, so that database should not be used in development of the Atlas for Council managed areas.

For marine conservation areas, the Atlas should utilize the database prepared by the U.S. Regional Fishery Management Councils, as reported to the Council Coordination Committee and NOAA Fisheries leadership. A preliminary report to the Council Coordination Committee in October 2021 showed that there are at least 663 conservation areas in the U.S. Exclusive Economic Zone (EEZ), and all bottom tending fishing gears have been prohibited in more than 54% of the EEZ. These areas essentially prohibit the harvesting of demersal fish and entirely protect benthic habitats and ecosystems from any impacts due to fishing. In other words, marine conservation areas that protect biodiversity already exceed the 30% threshold in federal waters by a large margin. The preliminary report can be found here:

<https://static1.squarespace.com/static/56c65ea3f2b77e3a78d3441e/t/6168bf42a502285352c8a245/1634254670431/Tab+10a+ABM+SubComPPT+Oct2021CCC.pdf>

**Conservation as a Continuum. How can the Atlas reflect the meaningful conservation work already underway in America?**

The Atlas needs to be more than just a database. It needs to accurately describe the state of biodiversity and ecosystems in all the regions of the U.S. It should describe the conservation activities in different regions of the U.S., reflect the continuum along which those activities are applied, and assess the risks to biodiversity given the current conservation and management programs in place.

Biodiversity in the marine environment is not subject to the same magnitude of threats as on land. Unlike the permanent destruction of land habitats caused by highways, housing, and other development, occupation of (and impacts to) the marine environment is for the most part, temporary. For marine fisheries, these impacts on habitat are limited by regulation, as NOAA Fisheries is required to ensure impacts on essential fish habitat are only minimal and temporary. Additionally, NOAA Fisheries must ensure that all fish populations are conserved and managed to stay at relatively high population levels and overfishing is avoided. As such, impacts to biodiversity in marine environments off the US are limited and controlled.

**What stewardship actions should be considered, in addition to permanent protections, to capture a more complete picture of conservation and restoration in America?**

As previously stated, a conservation area is an established, geographically defined area, with planned management or regulation of activities that provides for the maintenance of biological productivity and biodiversity, ecosystem function and services (including recreational opportunities and providing healthy, sustainable seafood to a diverse range of consumers). Given this definition, the Council notes that the MSA already provides for the conservation of 100% of the marine area included in the Exclusive Economic Zone (EEZ). All fish resources and marine fish habitats are fully conserved under the MSA though the establishment of annual catch limits, and other marine ecosystem components, such as marine mammals and seabirds are conserved and restored under the MSA and other laws (e.g., ESA, MMPA).

There is more to conserving marine biodiversity than just quantifying the total amount of subareas that has been established to provide additional conservation, especially under a changing climate. The sustainable level of seafood production in the North Pacific provides another measure of how ecosystem function has maintained, even if it cannot be fully preserved under climate change. A healthy ecosystem produces seafood for domestic consumption. Limits on the harvest of fish species -- and the protection of fish habitat, marine mammals, and endangered species -- in 100% of the EEZ provides for the conservation of marine biodiversity far beyond what can be achieved through the conservation of just a portion of the ocean.

The biggest long-term threats to the marine environment are a warming ocean, increasing ocean acidity, invasive species, and pollution from land runoff. Conservation areas will not be an effective tool to protect biodiversity or increase resilience to climate change in the face of these threats. For example, no conservation area is going to prevent warming water temperatures from

killing coral reefs, and no conservation area is going to reduce calcium shelled animals from the impacts of ocean acidification. Addressing these problems will require reduced carbon emissions on a global scale, and a flexible regional approach to adaptively manage and mitigate direct and indirect human impacts on marine ecosystems.

**What are the attributes of lands and waters that should be included in the Atlas? Considerations could include, for example, a clearly defined geographic boundary, status of ecological function, representation of species and habitats, extent of disturbance, expected future risks from climate change or other human stressors, ecosystem connectivity, or durability of management status.**

The Atlas should include attributes normally associated with conservation areas:

- Area has clearly defined boundaries
- Area is established by law, regulation or management plan, and lead agency
- Area has a clear governance structure
- Size of the area
- Conservation objective of the area
- Restricted activities in the area
- Conservation benefits provided by the area
- Enforceability of the restrictions in the area
- Degree of research and monitoring in area

**How can the Atlas best reflect the contributions of State, local, Tribal, territorial, and private lands?**

Consistent with the Council's view that the data should be provided only by the source agency or entity, we believe that the States, Tribes, and territories should be provided an opportunity to contribute to the Atlas database. For a comprehensive understanding the stewardship and conservation in marine waters, it is particularly important to include the conservation measures implemented by States for activities occurring in State waters (0-3 nm). Nearshore waters and estuaries (and rivers for anadromous fish species) are essential fish habitat for many marine fish species during their early life stages. Providing data for the Atlas takes substantial staff resources, and the Council suggests that States, Tribes and Territories be provided with funding to support their efforts to contributing to the Atlas.

**Outcomes. How can the Atlas best reflect land and water contributions to biodiversity, climate change mitigation and resilience, and equitable access to nature and its benefits?**

Rather than just focus on how much area is set aside and designated as conservation area, a better measurement of progress is tracking changes in biodiversity, from the genetic to ecosystem level.

Is the diversity of ecosystems in the region changing? Are there changes in species richness or diversity? Are unique ecosystems still intact and are endemic species present in the region? Is the genetic diversity of a species declining, and if so, what is the rate? What target level of biodiversity are we trying to achieve?

The Council receives an annual ecosystem status report for each of the large marine ecosystems under its jurisdiction (Bering Sea, Aleutian Islands, Gulf of Alaska). The report is prepared by NOAA Fisheries scientists and other contributors. The purpose of the status reports is to summarize and synthesize climate and fishing effects (historical and future) from an ecosystem perspective, based on status and trends of ecosystem components and ecosystem-level attributes using an indicator approach. This provides a coherent view of the ecosystem effects to clearly recommend precautionary thresholds, if any, for establishing annual catch limits for groundfish, which may be required to protect ecosystem integrity. The ecosystem status reports provide an excellent tool for tracking progress towards the goals outlined in the America the Beautiful Report.