

Tortugas Working Group Gets Consensus on Reserve, Is Challenged by Anglers

The working group of Tortugas 2000 -- a year-long collaborative process to create an "ecological reserve" in the Tortugas region of the Florida Keys National Marine Sanctuary (FKNMS) -- reached consensus in May on the recommended boundary for a zone in which all consumptive activities would be prohibited. Subsequently approved in June by the official advisory council of the Sanctuary, the recommended reserve is currently undergoing a draft supplemental environmental impact statement, due this October.

While the proposal makes its way through the bureaucratic process, working group members -- representing an array of stakeholders -- are waiting to see how well the consensus will hold up. The Florida Keys have a history of difficulties in adding preservation to the Keys' mix of multiple uses: the Tortugas 2000 process itself was an FKNMS response to its own unsuccessful attempt in 1995 to declare another reserve in the same general area. Sanctuary officials hope that history won't repeat itself, but one sportsmen's group that was not involved in the Tortugas 2000 process has already declared the proposed ban on all fishing in the reserve to be "unwarranted and unacceptable," and has threatened legal action to block it.

The Recommendation

The coral-rich Tortugas region is at the western-most end of the Florida Keys. The recommended ecological reserve, as selected by the Tortugas 2000 working group from among a dozen alternatives, would consist of two areas, Tortugas North and Tortugas South. Both areas would be no-take zones, with bans on commercial and recreational fishing, mining, and all other consumptive activities. Diving would be allowed in most areas, according to FKNMS officials. The reserve would be 635 km²; in comparison, the FKNMS is about 7800 km².

Of the alternatives the working group examined, the preferred one was among the smallest. Nonetheless, said Science Coordinator Ben Haskell of FKNMS, "It was selected because it achieved a balance between capturing significant habitat and resources while not seriously impacting any one user group."

The Tortugas habitat, according to the working group's scientific reports, is critical as a source for marine organisms whose larvae are transported from this region to the rest of the Keys. Research indicating that several reef species throughout the Keys were overfished and anecdotal reports of increased fishing pressure were additional considerations in the working group's decision making.

As described by the working group in its June staff position paper, the Tortugas Ecological Reserve will protect biodiversity around the Tortugas, maintain ecosystem integrity, and act as a reference site to help scientists discriminate between natural versus human-induced changes to the Keys' ecosystem.

The Working Group

At the core of the planning process was the 25-member working group, composed of stakeholder representatives, eight Sanctuary Advisory Council members, and federal and state government representatives with resource management authority in the Tortugas area. (Notably, the boundaries of the recommended reserve are not wholly contained within FKNMS, so other federal and state entities with jurisdiction of the involved waters will have to approve the plan as well. These include Dry Tortugas National Park, the Gulf of Mexico Fisheries Management Council, and the state of Florida. Representatives of each of these were on the working group.)

Among the stakeholder representatives on the working group were commercial and charter fishers, divers, scientists, NGOs, and other concerned citizens. In large part, FKNMS convened the group in an attempt to succeed where its past attempt at

establishing a Tortugas reserve had failed. The Sanctuary's 1995 plan to create what it called a "replenishment reserve" in the area was strongly opposed by commercial fishermen who criticized the proposal for not protecting the right habitat and unduly harming the fishermen; as a result, the Sanctuary decided to re-examine it. For Tortugas 2000, the idea was for FKNMS to work with the fishermen and other groups to create a plan with which everyone could agree.

"The commercial fishermen knew that we had listened to them in 1995, and that we would come back to them for input," said FKNMS' Haskell. "The title of the process -- Tortugas 2000 -- put people on notice that we intended to have a reserve in place by the year 2000. The train was already running down the track, so to speak, and they realized they needed to climb on." Haskell added that fishing groups' interest in protecting spawning sites had likely also helped to bring fishermen onboard.

Working Through Challenges

Nonetheless, there were challenges in putting together the working group and getting it to work. Mike Eng, the group's facilitator from NOAA's Coastal Services Center, said that the first challenge came in getting participants to trust the process. "There was still a lot of animosity from some interest groups toward the Sanctuary, left over from the original process," he said. "It was also difficult to balance the various interests. Progress came through building agreements very slowly and continuing to build on them. Size, location, and allowable activities were all open to discussion."

Said Haskell, "It's important to get the right people at the table from the get-go who are respected in the community and in the organizations they represent." He and Eng found it difficult to recruit representatives from the recreational fishing industry, which was skeptical of the reserve idea; only one attended the meetings -- John Brownlee of Saltwater Sportsman magazine. "He's just one voice in a pretty diverse industry," said Haskell of Brownlee, who joined the consensus.

Threat of Legal Challenge

Eng said the working group members seemed to appreciate the experience. "I think it was a transformational process for them," he said. "I don't think they'd experienced such a participatory process before, and they liked it for the most part. They felt their concerns were being respected."

He added, "At the same time, there was concern that this is not the way the political world usually works." He said that members were concerned that as soon as the working group dissolved, infighting would begin again. "The members informally vowed they would not try to whittle down the agreement," he said. "It remains to be seen whether that will take place."

The first test of the consensus has come with the threat of a legal challenge from the Wildlife Legislative Fund of America (WLFA), an organization reportedly representing 1.5 million anglers, hunters, and trappers. The WLFA sent a letter on June 10 to Secretary of Commerce William Daley suggesting that the proposed curbs on recreational fishing would be "a first step toward restricting angling access to public waters without any conservation basis." The organization threatened to sue to block any such ban on recreational fishing.

For more information:

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Planning Tips from Tortugas 2000

The following tips for planning an MPA were assembled by MPA News, based on a conversation with Mike Eng, the facilitator of the Tortugas 2000 process:

Good data: Make sure your planning group collects the best (i.e., scientifically based and verifiable) information available about the site, including on its ecosystem, use patterns, and socio-economic values. In this way, not only are you basing your decisions on good data, but everyone works with the same numbers. Tortugas 2000 continually incorporated updated information from scientists as it was generated.

Consensus: Making decisions by consensus allows people to relax and feel confident that their interests will be represented.

Lines can polarize: Try to delay the drawing of boundary lines on a map. Lines tend to polarize stakeholders. Instead, focus on the criteria you hope to meet with your MPA. Once there is agreement on criteria, lines can be drawn.

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