

## **The Government Refutes Assertions Made by the Fisherman's Association of Bermuda**

The Ministry of Home Affairs wishes to share the following information, which mirrors that provided to the Association as recently as yesterday. Today, the Association has decided to spread significantly misleading information despite these facts.

The Government remains committed to an integrated strategy to enhance the management of the island's entire Exclusive Economic Zone (EEZ) through improved management, enforcement and legislation. The Draft Blue Prosperity Plan is one component of this strategy, designed to support fishers and benefit ALL of Bermuda's people, who deserve a healthy ocean.

Protected Areas allow for ocean ecosystems and fish populations to replenish and grow. Protected areas will support fisher's livelihoods, food security, and climate resilience and ensure the ocean is healthy for future generations.

As currently proposed fishers will continue fishing in 80% of Bermuda's waters. While some fishing efforts will shift to ensure the industry is sustainable long into the future, their livelihoods will remain intact, and seafood will still be on our tables.

The plan also creates many opportunities to sustainably grow jobs and Bermuda's economy in the fishing, tourism, aquaculture, biotech, and renewable energy sectors.

We have engaged with the fishers throughout the stakeholder process since the program began in 2019. Representatives from commercial and recreational fisheries have been directly involved in drafting the Blue Prosperity Plan.

Most recently, the Ministry of Home Affairs responded to

We continue to welcome feedback from anyone in Bermuda who wishes to influence the future of their ocean.

For the benefit of the public, the Ministry of Home Affairs takes this opportunity to clarify and respond to several assertions made by the Fishermen's Association of Bermuda regarding the proposed Blue Prosperity Plan, specifically:

1. Inadequate consultation on the draft Blue Prosperity Program
2. Lack of consultation on designating at least 20% of Bermuda's waters as fully protected fisheries replenishment zones within the proposed marine spatial plan
3. Lack of commitment by the Government concerning the enforcement of existing laws and protected areas,
4. No action on the Fishermen's Association's request for a licensing structure for recreational fishing and reporting of catches, as these fishing activities account for a significant amount of extraction of fish resources.
5. Requesting bag limits are set for non-commercial fishing.
6. The need for further fisheries development, particularly the funding of the proposed fisheries development centre

## **Establishing the need for protection**

It is essential to address the issue on why the Government chose to pursue a policy of fully protecting 20% of our Exclusive Economic Zone (EEZ).

The United Nations has stated that it has grave concerns about the state of the World's oceans.

*We cannot survive without healthy oceans. Yet, they have been under too much stress, from too many human activities, for too many years. Overfishing, resource extraction, tourism, recreation, coastal development and pollution are damaging habitats and reducing populations of marine species at a frightening rate.* <https://www.unep.org/explore-topics/oceans-seas/what-we-do/promoting-effective-marine-protected-areas>.

Recognising this, the United Kingdom has set an ambitious policy target to protect 30% of its marine environment by 2030. To meet this target, the U.K. initiated the Blue Belt programme for the U.K. and its overseas territories (2018). The direction for this has been consistently emphasised since that time. 2021 UK-Overseas Territories Joint Ministerial Council 2021: communiqué - GOV.UK (www.gov.uk)

Acknowledging the policy and the need to create a balanced approach that maximises Bermuda's most important natural resource, the Government noted that the Conservation on Biological Diversity Aichi Target 11 and the Sustainable Development Goal 14 calls for the protection of at least 10% of the marine environment. Thus the Government began the work to fully protect 20% of our EEZ through the development of the Bermuda Prosperity Programme.

Initiated in 2019, this 60-month programme, to be undertaken in two phases sets the goal of developing both an economic and a spatial plan in full consultation with stakeholders.

## **Development of the Blue Prosperity Plan**

In 2019 the Government announced that it intended to embark on the development of the Blue Prosperity Program in partnership with our world-renowned Bermuda Institute of Ocean Science and the Waitt Institute.

Bermuda's Blue Prosperity Plan aims to build on the trajectory of sustainable economic development whilst we enhance and maximise our precious marine resources. It has two components: the Blue Economy Strategy, a guideline for growing Bermuda's ocean-related industries and attracting investment opportunities, and the Marine Spatial Plan, a framework for implementing sustainable ocean development, protection, and management.

For more information about the Bermuda Ocean Prosperity Programme, please visit <https://www.bermudaoceanprosperity.org/>. Both components, collectively called the Blue Prosperity Plan, are still draft and out for public consultation until 31st December 2022.

## **Consultation on the Blue Prosperity Plan**

From the onset, the Government has sought to develop the Bermuda Blue Prosperity Plan in a fully consultative and collaborative manner. It will continue to actively engage with the many diverse stakeholders that have an interest in the collective resource that is the island's EEZ.

Guiding this process is the BOPP Steering Committee, which includes all the various entities interested in Bermuda's waters. Each entity has one representative, and members of the Commercial Fisheries Council and the Marine Resources Board have been on the Steering Committee from the onset. Representation included, at one point, two members of the Commercial Fisheries Council (CFC), one being the Chairman. It should be noted these representatives also hold the position of Chairman and the other one an executive committee member of the Fishermen's Association of Bermuda (FAB).

In addition, BOPP has helped to facilitate sessions with the Steering Committee representative outside of official Steering Committee meetings to understand the concerns of Fishers and collect additional guidance on the proposed MPA Network, etc.

In obtaining input from fishermen and other stakeholders, the BOPP has undertaken an extensive outreach. Just for the Ocean Use Survey alone, at least six newspaper adverts and over 30 radio adverts were released, along with social media advertising and information dissemination through Government channels. Nearly 1000 fliers were distributed, and two 3-hour pop-up events were held in public areas. Several organisations distributed the survey to their mailing lists, and all Ocean Village stakeholder groups were encouraged to engage. Furthermore, in-person facilitation, outreach phone calls, and paper surveys were offered to over 200 individuals who preferred a non-digital survey platform.

The Ministry can also advise that a particular effort was made to collect responses from Commercial Fishers as part of the Ocean Use Survey. The full methodology is detailed in the "Bermuda Ocean Use Survey Results" report, publicly available on the BOPP website. Four local Bermudians were assigned to reach out to the fishing sector to facilitate surveys. Also, over six weeks, at least one outreach attempt was made to each of the 123 licensed commercial fishing vessel owners (~70% of the industry). This number includes 95% of all full-time and 55% of all part-time fishers. In addition, a survey notification was included in the Department of Environment and Natural Resources Fisheries Newsletter, sent to all registered fishers. Of those contacted, 35% of full-time fishers and 30% of part-time fishers completed a survey.

The survey received 69 validated responses from the Commercial Fishing sector, 173% of the minimum required amount to be considered statistically robust to represent this sector. Additionally, 157 responses were received from the Recreational Fishing sector, which is 196% of the minimum required amount to be considered statistically robust to represent this sector.

Responses to the Ocean Use Survey (OUS) were used to create heatmaps to visually represent locations in Bermuda's waters considered most valuable to each sector. For the fishing section, this allowed for spatial analysis to quantifiably measure how much 'fishing value' overlapped with proposed marine protected areas. These heatmaps were used in the following ways:

1. Made available as individual data layers to aid in the decision-making and recommendation process of the various BOPP Committees.
2. Used in a prioritisation analysis whereby a computer model identified areas to be considered for protection based on a set of objectives while at the same time avoiding the most valuable

fishing areas. These prioritisation data layers were then made available to BOPP Committee members.

3. Used to inform a suitability index in the Renewable Energy suitability maps, where areas considered more valuable for fishing are deemed less suitable for renewable energy development.
4. Used to develop a series of analytics to assess how well the proposed marine protected area (MPA) network meets various spatial objectives and is available in Section 5.4. of the Draft Marine Spatial Plan. Still, there is one spatial objective that relates to fishing where values from the OUS heatmaps from commercial and recreational fishing were incorporated into the analytics:

1. *Objective: Ensure continued access to the most highly-valued fishing grounds on and around the nearshore areas, including the Bermuda Platform and outlying banks, as identified by the Ocean Use Survey and other relevant data sources by March 2022.*

The analytics show that the proposed MPA network avoids 80.5% of the commercial fishing value and 75.2% of the recreational fishing value across Bermuda's waters. Moreover, full no-take zones avoid 88.1% of the area valued by commercial fishers and 94.7% of the area valued by recreational fishers. At the same time, it focuses protection on sites likely to lead to fish stock replenishment, thereby benefitting the local fishing industry.

5. Analytics was also designed for another fishing-related objective, although this did not incorporate the OUS heatmaps.
2. *Objective: To the extent possible, allow for spatial continuity of fishing for pelagic species in depths >55 m around the edge of the nearshore area, including the Bermuda Platform and the outlying banks, by March 2022.*

The analytics show that only 2.8 sq. kilometres (equivalent to just 0.2% of the pelagic fishing zone) would prohibit fishing. These restrictions are to protect breeding aggregation sites of commercially important species. Other proposed MPAs that overlap with this zone focus on protecting benthic habitats and would therefore allow pelagic fishing to continue by permitting sustainable trolling and surface fishing.

In addition, the Ocean Village includes a stakeholder group specific to Commercial Fishers, with regular meetings and invitations widely circulated. During Phase 1 of stakeholder consultations in 2021, the Commercial Fishers Ocean Village group submitted a survey with feedback on the proposed Principles, Goals, and Objectives of the MSP. Much of this feedback was integrated into the MSP with a particular highlight on the following objectives:

*Note that the following timelines identified as part of the objectives are noted in the Draft MSP as provisional and will be revised in due course by the BOPP Steering Committee:*

1. Objective: Ensure continued access to the most highly-valued fishing grounds on and around the nearshore areas, including the Bermuda Platform and outlying banks, as identified by the Ocean Use Survey and other relevant data sources by March 2022.

2. Objective: To the extent possible, allow for spatial continuity of fishing for pelagic species in depths >55 m around the edge of the nearshore area, including the Bermuda Platform and the outlying banks, by March 2022.
3. Objective: Develop a licensing structure which will allow for better monitoring of reported catches. This will lead to better reporting as it relates to quotas and better management of fish stocks to ensure sustainable commercial and recreational fisheries.
4. Objective: develop a marine resources enforcement strategy that clearly outlines consequences for infractions and is implemented through strengthened legislation.
5. Objective: Conduct a study to measure the efficacy of enforcement measures.
6. Objective: Conduct a public education campaign to raise awareness about existing and new marine regulations.

After collecting data, including the Ocean Use Survey, finalising the Principles, Goals, and Objectives and running the model to create heat maps, the BOPP Steering Committee considered several options for the offshore and nearshore marine protected area networks for the draft Marine Spatial Plan. These options came from various sources, including the BOPP Science Committee, representatives from the CFC, the Bermuda Tourism Authority and the Department of Environment and Natural Resources. Voting by the Steering Committee was done in two rounds, and the draft chosen to present to the public for consultation was that of the DENR. This option was seen as more balanced and focused than the second favoured option proposed by the BOPP Steering Committee. For your awareness, the chosen option offered less protected area coverage. This option was, in turn, presented to the Cabinet and approved for public consultation (July 2022).

For the development of the Draft Blue Economy Strategy:

1. Commercial Fishers were consulted several times in developing the Draft Blue Economy Strategy, which included the initial scoping stage in developing the sector scoping reports and proposed recommendations and in creating the draft itself. The scoping report and the Draft Blue Economy Strategy were shared with the BOPP Steering Committee.
1. Finance Earth led a series of meetings with stakeholders to identify potential projects for the Blue Investment Fund, which included a session with Commercial Fishers. Note that the Commercial Fishers made two requests. That the Fisheries Development Center (FDC) not be perceived as a BOPP project and that BOPP understands that the FDC is a separate initiative. You will note that the Draft Blue Economy Strategy signals support for its development, but details on its business plan and how the Blue Investment Facility would be supportive were not provided.
1. Goal 1 of the Draft Blue Economy Strategy includes specific goals and objectives related to facilitating and enhancing sustainable fisheries; this includes six underlying objectives and potential projects. These are all available for review in the draft document.
1. Out of the 18 potential pipeline opportunities identified, six fall under Fisheries, making up one-third of the potential pipeline for the blue investment facility. At this stage, no specific project has yet been selected for dedicated funding for incubation or investment. The Facility is under design, and the draft Strategy is still undergoing public consultation. As per the draft, all projects are prospective at this stage.

While the above percentages are statistically high, further efforts are being made to refine the data and increase that number. This is one of the main reasons for extending the consultation period.

The Draft Blue Prosperity Plan has been open for public consultation since 12th September. Public engagement sessions have been held in Hamilton, Somerset, and St. George's, and Ocean Village stakeholder consultations involving six ocean user community groups within Bermuda are ongoing.

Throughout these consultation events, constant emphasis has been placed on the Blue Prosperity Plan being a draft only, a starting point to which stakeholders are strongly encouraged to provide feedback and recommendations. Furthermore, based on the input, we will modify the document and share the results with the public for consultation.

We continue dedicating significant effort to meet with stakeholder groups, including individual fishermen and members of the Association, to get input. We also extended the consultation period to ensure we could meet with as many groups and people as possible and obtain their views.

It should be noted that the public may continue submitting electronic feedback on the Draft Plan through the [Bermuda Citizen's Forum](https://forum.gov.bm) at forum.gov.bm until the end of December. Additionally, and for more information, a handy [FAQ](#) page created from initial feedback sessions, the [Draft Blue Prosperity Plan](#), and more background information is available online at [bermudaoceanprosperity.org/](https://bermudaoceanprosperity.org/).

The Government is highly appreciative of the Waitt Institute for facilitating the development of our plan. They have provided much administrative support to our local agencies and stakeholders at no cost to the Government purse.

### **Efforts to improve marine enforcement**

The Government is committed to providing and facilitating the necessary resources to manage our EEZ effectively, demonstrated by the development of the new coast guard in 2020, which has provided this capacity to the Fisheries Enforcement Section, which is also currently at full strength. This partnership continues to grow as new capabilities come online.

Recognising that we need to manage our EEZ enforcement better, the Department of Environment and Natural Resources, in consultation with the Marine Resources Board and the Commercial Fisheries Council, developed the *Draft Marine Resources Enforcement Strategy and Action Plan* (Dec 2021). This plan is being updated to include new initiatives from the U.K.'s Blue Shield Program currently being developed. This strategy was announced in the Ministry of Home Affairs annual budget brief for the DENR and shared with stakeholders during the BOPP program.

In February 2022, Bermuda became the first U.K. Overseas Territory to join the U.K.'s Blue Belt Ocean Shield Programme. This programme aims to enhance a jurisdiction's maritime awareness through improvements to its capacity and capability.

The Minister of Home Affairs is pleased to say that Bermuda has already seen significant investment into its programs over the past year, at no cost to the Bermuda Government or the taxpayer. Through the programme, the DENR Marine Enforcement section, Marine Operations Centre and the RBR Coast Guard

have received new equipment and are now looking to benefit with access to cutting-edge surveillance and monitoring capabilities, bespoke training, and funding for a public awareness campaign.

The Government is also working with the U.S. Coast Guard to develop and implement an offshore surveillance and monitoring program. Work started in the summer of 2022 with two cutter deployments that included local fisheries personnel on board as observers. We are currently working on an MOU to allow the U.S. to directly assist local fisheries with enforcement. Also, due to Bermuda's involvement, the U.K.'s Marine Management Organization has initiated a programme to work with the U.S. Coast Guard to assist us.

We collectively should be very thankful to our international partner agencies, who provide state-of-the-art enforcement capacity and capabilities to ensure effective management of our inshore and offshore waters.

It should be noted that the DENR regularly updates both the Marine Resources Board and Commercial Fisheries Council on all of these efforts.

### **Governing legislation for the Bermuda Ocean Prosperity Plan**

In 2021, the Government announced the creation of a new Marine Development Act that will provide the legal framework for the new Marine Spatial Plan. Work is ongoing, and the CFC and MRB are continually updated at their monthly meetings.

### **Ongoing efforts to develop a more supportive regulatory framework**

Proactively the Ministry of Home Affairs has already begun work to develop a more supportive regulatory regime for the fishing industry, including:

1. New regulations to manage Fish Aggregation Devices to assist in developing an offshore pelagic fishery (in force)
2. Approved development of a new embargo system for locally caught fish; and,
3. Approved the development of new aquaculture regulations.

Work is progressing on developing a regime for new recreational fishing licenses, amendments to better manage non-commercial fisheries, and modifications to the commercial fisherman registration to allow for training of our local fishermen in the development of our pelagic fishery.

These new initiatives are all being developed in consultation with the CFC and MRB. Both of which have FAB representatives as sitting committee members.

### **Investment in the fisheries industry**

Recognising that the Government already provides significant support to the fisheries sector in the form of duty relief on all goods imported for local food production, as well as a fuel rebate, further efforts are being made to develop the island's pelagic fishery.

Furthermore, over the last 18 months, the Bermuda Economic Development Corporation has been making significant effort to create a business case for developing a new Fisheries Development Centre.

The BEDC working closely with the FAB and the DENR, continue working to develop this plan. This plan will be implemented with the \$1.5 million committed to by the Government to assist in developing the island's pelagic fishery.

The Government has embarked on an integrated plan to best manage our marine resources in a sustainable and responsible way, using our significant resources and all our international partners who want us to succeed in our goal. The consultation process for the Marine Spatial Plan is ongoing, and the Fishermen's Association and its members are urged to continue engaging and participating in the project.