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## **Standing Committee on Fisheries and Oceans**

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**EVIDENCE**

**Tuesday, April 11, 2017**

**Vice-Chair**

**Mr. Robert Sopuck**



## Standing Committee on Fisheries and Oceans

Tuesday, April 11, 2017

•(0845)

[English]

**The Vice-Chair (Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC)):** I'll call the meeting to order.

Welcome, everybody. Happy birthday to Mel Arnold. I was asked if we could sing *Happy Birthday*, and I refused. So there, the curmudgeon is in the chair.

We have two sets of witnesses today on marine protected areas. Welcome to Susanna Fuller, from the Ecology Action Centre, and Bill Wareham, from the David Suzuki Foundation. I think you've presented before this committee on other occasions.

We're somewhat pressed for time. We have three other witnesses later on for the next portion of the meeting. We'll start right away. We will have each of our witnesses give 10 minutes of testimony. For the questioning, we're going to be restricted to three questioners for seven minutes each, one from each party. That will add up roughly to the first 45 minutes.

Which one of you will start?

Mr. Wareham, you may begin.

**Mr. Bill Wareham (Science Projects Manager, Western Region, David Suzuki Foundation):** Thank you very much.

My name is Bill Wareham. I am with the David Suzuki Foundation. I've been working in the non-profit environmental sector for about 30 years, primarily in western Canada, and I've been with the Suzuki Foundation for about 14 years now.

On behalf of the Suzuki Foundation, I just want to thank your committee for inviting us to speak to you about the establishment of marine protected areas in Canada. The foundation appreciates your inquiry on how we can best meet our commitments to secure our natural marine heritage through the establishment of marine protected areas.

For the purposes of this presentation, I'll consider as protected areas those areas established by DFO, by Environment and Climate Change Canada, and by Parks Canada, knowing that there are different designation tools but we frame them all as marine protected areas.

The Suzuki Foundation's interest here is because the protection of nature and the application of resource management practices based on the principle of ecosystem-based management is one of our long-standing objectives. We see protected areas as one of the essential management tools in this overall frame of ocean management. We

strongly believe that human systems, both cultural and economic, are interconnected and interdependent. We propose that without healthy, productive natural systems, both cultural and economic traditions and opportunities are diminished, and in the worst cases, as we have seen on both coasts, can be eliminated.

Every day the Suzuki Foundation hears from Canadians who ask us to uphold strong values for nature, environmental rights, collaboration, and respect for indigenous culture and rights. It's based on these values that we have committed to work in collaboration with indigenous people, communities, and commercial stakeholders to seek solutions aimed at protecting the coastal ocean and resources that we all depend on.

As we do, I ask that you view the oceans and the protection of our ocean environments in the same context as safeguarding freshwater systems for clean drinking water and agriculture, or saving forests and wetlands to control hydrologic systems, or maintaining clean air to accommodate overall human health and prevent harmful substances from entering our environment. We see this issue of protecting oceans through the management of protected areas as fundamental as caring for the rest of the landscape.

In the context of the 10% target, we are encouraged by the federal government's stated commitment to realize the international commitment to protect biodiversity and establish marine protected areas for at least 10%—and we underscore the “at least” because we do believe it's a floor and not a ceiling. How Canada attains this level of protection is a question that many Canadians have grappled with for decades. We commend the government for its efforts to take this bold step, and we feel strongly that enhanced effort is required to meet these objectives.

The Aichi targets have set a challenge for Canada to seriously consider the benefits of spatial protection. At present, we do not feel there is enough being done, or at a significant enough scale, to truly reduce the risks facing our oceans. Given that Canada has in the order of only 1% of its marine protected areas established now, we have an enormous but inspiring task ahead of us. Although we view these targets as a strong basis for action, we also strongly advise the committee to consider that the ecological values that are being conserved and the ultimate health of the oceans and the marine life are the two metrics that we should measure our performance against.

Why MPAs? Canada's oceans are a gift of abundance in productive capacity that is spectacular, yet very vulnerable at the same time. It is a system so complex that even our best scientists do not fully understand it, which accordingly requires precautionary management to minimize the risk to its healthy functioning. We believe that a proactive effort must be undertaken to ensure that the maintenance and recovery of natural systems and the species they support is paramount. We view marine protected areas as an important tool in the mix of management strategies required to meet this goal. Even within the context of marine protected areas, there is a range of management options, tools, and designations that create a matrix of protection measures that ultimately, we hope, can meet that overarching goal of protecting biodiversity and recovering degraded populations of species.

What is needed? In our view, our oceans need to be managed with an overarching framework, with goals and objectives that serve our commitments to protect biodiversity as per our biodiversity convention and the Canadian biodiversity targets, to ensure food security, and to support economic opportunity. In that context, we ask that marine protected areas and other effective area-based measures be used to ensure this long-term health of the marine system.

● (0850)

We propose that, as a country with a relatively high standard of living, Canada has a great opportunity to get it right by being precautionary and finding the effective means to manage, protect, and build our understanding of ocean ecosystems so that they continue to provide a bounty of food and of cultural and economic opportunity to Canadians. Whether the ultimate outcome is 10% or 50% protection, we believe that success will be realized by ensuring application of the correct management tools and conservation practices required by specific ecological values and conservation needs.

Protected areas must be effective, and there is significant evidence from around the globe in regard to what kinds of conditions and management practices result in effective protection.

To be successful in realizing marine biodiversity, conservation, and protected areas goals, we recommend that the government significantly increase its investment, capacity, and funding in the responsible agencies; support interagency decision structures to address overlapping mandates; establish effective governance structures with indigenous communities; accelerate the stakeholder engagement process; ensure comprehensive consultation; undertake appropriate cultural, scientific, and economic analysis to inform the decision-making process; ensure that effective monitoring enforcement mechanisms are in place; and continue scientific study to enable adaptive management and continued learning about our collective effects on ocean health.

Those are some of the key things. I'll send you a paper we have that has more context on some of the issues I've raised, which you can read. For now I'll summarize some of the key things that fall under international commitments.

We feel that Canada has made bold commitments on the convention on biodiversity. We've made commitments around the CBD targets. There's a lot of rationale for MPAs. There is a lot of

science evidence and there are a lot of economic benefits that can be developed out of MPAs.

The biggest thing for us is really accepting that we don't know what's going on out there. Oceanographic conditions are changing in ways that we haven't seen before. Changing ocean conditions, oceanographic movements of warm waters, and acidic water and such things are changing both the distribution and abundance of species, and we need to learn more about these so that we don't risk eliminating species inadvertently by overharvesting in the wrong place at the wrong time.

We also see a very strong public perspective for MPAs. You'll get more evidence for this, I'm sure, from the World Wildlife Fund, but they conducted a poll this last year on the perspective of Canadians in regard to marine protected areas, and there's very strong evidence. More than 98% of Canadians support the creation of marine protected areas, 87% say that the current levels of protection are not enough, and 90% believe that there should be a minimum standard for MPAs.

That's one of the issues for us: setting minimum standards and really trying to understand what we need to do to constitute a protected area and define it formally vis-à-vis other types of management in the system that also offer some forms of protection but may not be in the same frame as the protected area that people have in their minds or that our legislation accommodates designating.

There's been a lot of effort on the west coast, where most of my experience is, and the paper outlines some of the things we've done in regard to MPAs and some of the challenges we have going forward.

With respect to our performance to date, the question for us is whether we are doing enough, and the short answer is no.

I'll give an explanation why I think that's the case. We've been at this for years. I have personally been working on this issue for more than 20 years on the west coast, and we don't have a lot of results to show for it. There are some small results, but on an area basis, they're miniscule in comparison with what we're trying to achieve with the 10%-plus target.

There's an enormous amount of work to do, and we can't see any other variable than putting more resources and capacity toward the file. We're falling behind other global developed nations in establishment of MPAs, so we think there's a need to accelerate our efforts to meet what we think is our responsibility globally.

The issue of indigenous protection and indigenous co-governance is very important to us. Particularly on the west coast there's a need to define how we can engage the reconciliation commitments and marine conservation and marine economic opportunities together to benefit communities, particularly those of coastal first nations, which depend on those areas for food and subsistence.

I'll summarize with some concluding recommendations. One is, as I mentioned, maintaining ecological integrity. Two is maintaining commitments around the UN Declaration on the Rights of Indigenous Peoples. Three is that protected areas should be defined using rigorous science and evidence. Four is that we really need to engage marine planning within the broader oceanscape so that we can contextualize where we put those MPAs.

There are two more quick points, the first on current funding levels. We've asked through the Green Budget Coalition for additional funding to go to each of the agencies. Second, the interagency requirement to collaborate is key, because that's where we see a lot of the bottleneck.

I'll leave it at that. In closing comments, again thank you for providing the opportunity. I'm happy to answer any questions in regard to the points I've raised.

• (0855)

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much.

I have just one caveat.

Parliament opens at 10 o'clock. I think this first round will be okay, but they're talking about a number of votes that might be coming up. That's just a caveat for our witnesses.

Ms. Fuller, you have 10 minutes.

**Ms. Susanna Fuller (Senior Marine Conservation Coordinator, Ecology Action Centre):** Thank you, and thank you for inviting me to speak here today.

The Ecology Action Centre is Atlantic Canada's oldest and largest community-based environmental organization. We work toward sustainable environment and sustainable livelihoods.

I am pleased to be able to speak to you, on behalf of our over 5,000 members, on this important issue to Canadians. I would also like to congratulate you on your report on restoring lost protections and modernizing Canada's fisheries act as well as the reports on northern cod and Atlantic salmon. Clearly, you're all up for hard work in now undertaking this next study on marine protected areas, and this subject is not independent of your last three reports. The recommendations of those reports provide important context for marine protection.

I would strongly encourage you to consider the recommendations of the March 2017 report of the Standing Committee on Environment and Sustainable Development, entitled "Taking Action Today: Establishing Protected Areas for Canada's Future". The completion of that report enhances what you are doing today and over the next few months. Before I provide my substantive comments, I would like to let all of you know that the world is watching Canada as it works toward catching up to other countries on protecting its marine environment, and achieving this protection in a meaningful way.

To give you some perspective, the island nation of Palau has set aside 80% of its EEZ as a marine reserve. The United States, to our south, has protected 32% of its waters with 3% fully no-take areas. These examples help to keep our 2020 target of 10% in perspective. Countries will be reporting on their efforts at the first United Nations

oceans conference in June, and I look forward to Canada being one of those countries.

I will focus now on a few key points that come directly from my experience in Atlantic Canada as a member of the advisory committee for the Sable Island Gully MPA; the St. Anns Bank area of interest, soon to MPA; experience both inside and outside of Canadian waters with respect to efforts to protect coral, sponge, and sea pen concentrations from bottom trawling activity; an active member of several fishery advisory committees; as well as a stakeholder in Marine Stewardship Council certifications.

The first key point is that it's high time we give back to our oceans. With less than 1% of Canada's coastal and marine environments currently protected, it's clear we focused on using, extracting, and harvesting from our oceans, rather than anywhere near an equal measure of protection. Canada is one of the few countries in the world with three oceans. Perhaps because we have so much ocean, we've come to think that it does not need more from us. Given the depleted status of many of our fish stocks—this year, as you all know, is the 25th anniversary of the northern cod collapse—we are still struggling with recovery to a point that allows commercial viability. We have increasing competition for our ocean space, and growing and unpredictable impacts of climate change. It's time to give back to the ocean.

The Royal Society report on Canada's marine diversity in 2012; a report on fisheries recovery in Canada, which I co-authored last year with Dr. Julia Baum at the University of Victoria; and the most recent Auditor General's report on sustaining Canada's fisheries, all conclude that we are not doing enough to protect our commercial fish stocks and marine biodiversity in general. I have no illusions that changing how we take care of our oceans will be easy, but I do know that maintaining the status quo is not an option. As noted in the ENVI report:

The single most important factor that witnesses identified as being necessary to develop and implement a plan to reach our protected area goals is political will and commitment.

We have the legislative ability to do it, and we have the technical ability to do it. We need to actually commit to it.

Second, the pace is challenging, but we must stay the course. I hear on a regular basis from various ocean stakeholders that the pace of protection, 5% by 2017 and 10% by 2020, is challenging, difficult, impossible. However, we had an early warning on our progress in the 2012 report issued by the commissioner of the environment and sustainable development, which stated that:

...Fisheries and Oceans Canada and Parks Canada have not planned, established, and managed a network of marine protected areas (MPAs) in accordance with their legislative mandates and policies in order to conserve and protect Canada's marine biodiversity and fulfill Canada's international targets under the Convention on Biological Diversity. As a consequence, Canada's marine biodiversity remains at risk. By extension, the prosperity of many coastal communities in Canada with marine-based economies also remains threatened.

I have a significant amount of empathy for ocean stakeholders, particularly from small fishing associations, who you'll hear from later today, and first nations communities who may not have the capacity to meaningful engage when it's most needed.

However, I want to make the point that we are only experiencing this pace because very little effort was put into the commitments Canada made in 2010. We are starting at year six instead of at year one. In fact, we really only started this in the past year, hence, losing an opportunity to do this well and maintain good relationships. Proposals for MPAs have sat on the fisheries minister's desk for over 18 months with no consideration. This is not respectful to those of us who have spent significant time, some of it voluntary, around the table on advisory committees. I'm working with others to come to an agreement on protection measures.

● (0900)

Government responsiveness to commitments could have made this process much less onerous. We cannot slow down. Our oceans will not wait much longer for well-deserved protection. This is also the first time I've ever heard that DFO is moving too quickly, so I see here an opportunity to set a new expectation for other DFO-led processes.

Third, the selection of protected areas must be based on science. I cannot emphasize enough how important it is for Canada to use science as the basis for protected area selection and to set conservation-based objectives in areas legally designated. This practice must be consistent across all of our oceans, which means changing our culture of marine management where short-term socio-economic considerations are generally the primary consideration.

By focusing on using the best available science, we are creating a level playing field for all ocean users. We are also setting a consistent and predictable process. This is something we have long struggled to do in fisheries management. We need to get this right because failing is not an option. Closed areas, in the right place and with the right objectives, can help protect endangered species and vulnerable habitat, and they are an important tool for restoring depleted populations.

My one caveat to this point is that there is a much greater requirement and burden of proof for science in marine areas. It's interesting to note how different it is in terrestrial areas. We are able to protect terrestrial areas with much less science. We can't let the absence of all the information that we might want slow the progress of protection.

Fourth, we must have minimum standards. My colleague Bill Wareham mentioned this, as well.

An area is not protected if it allows industrial activity. This means bottom fishing activity, oil and gas development, ocean mining, etc. Canadians are clear about what they expect, as indicated by national polling completed by WWF in 2016. I believe you all have a copy of that polling, but if not, WWF will be presenting on it.

Currently, we have proposed MPAs that allow some of these activities to happen. These areas should not be considered to count towards our targets until industrial activity has been restricted, with a minimum of 75% no-take areas. Amending Canada's Oceans Act is

an opportunity to establish these minimum standards by providing more consistency and predictability to MPA designation.

Fifth, indigenous protected areas need to be part of how we move forward in protecting our oceans. We have a national imperative to begin the process of reconciliation with indigenous peoples. One way of doing this is to encourage and facilitate the establishment of indigenous protected areas. We have a long and difficult road ahead of us to rebuild indigenous peoples' trust in federal departments and in settlers, to recognize decolonization as part of reconciliation, and this includes our coasts and oceans. Indigenous peoples should be empowered to declare indigenous conserved and protected areas.

The Ecology Action Centre recently co-hosted a workshop with the Atlantic Policy Congress of First Nations Chiefs on this subject. Once we receive permission from our Mi'kmaq and Maliseet partners, we will share the recommendations of that gathering with you.

Sixth, communities need to be supported in putting forward coastal protected areas, and provinces need to be on board, as well. I can say, from my experience in Nova Scotia, that there are coastal communities that know where the best areas to protect are, and in some cases, have already begun the process through informal agreements among users, mostly fisheries.

Community leadership and ownership, particularly in coastal protected areas, will be important in engaging Canadians and making government employees' jobs easier. It's also a key aspect of long-term monitoring and enforcement. As part of this, provinces also need to be supportive.

I've been very disappointed to hear representatives of the Nova Scotia provincial government state publicly that they do not want any more burden of protection. For a province that has protected 12% of its terrestrial environment and that relies so heavily on the ocean for food, economy, and culture, I find this attitude extremely unfortunate.

Seventh, as we move forward, it will be necessary to ensure adequate funding for ocean planning and protection. We won't be able to protect our oceans without good science, management, and enforcement. We must fund marine planning processes and ensure stakeholder engagement so that protecting our marine environment becomes part of who we are and how we see ourselves as global leaders.

Currently, on the east coast, there's a significant amount of focus on what happens in a protected area—we're zoning in our protected areas instead of committing to ocean planning—rather than viewing those as a larger piece of how we manage our oceans. Ocean marine protection and planning, particularly in its early stages, need to be adequately funded.

● (0905)

**The Vice-Chair (Mr. Robert Sopuck):** You have one minute.

**Ms. Susanna Fuller:** I'm almost done.

My eighth point is that international commitments must be met and continued. As my colleague noted, we committed to the Aichi target 11 in 2010, which commits us to 10% by 2020. The original percentage in the original zero draft of that target was 20%, and it was negotiated down to 10%. An international resolution at the World Conservation Congress in September called for 30%.

Our oceans are fluid and global. Our national efforts need to be part of Canada becoming an ocean leader.

At meetings last week at the UN, which I had the privilege to attend, Canada started down this path, working towards a new agreement to allow for the establishment of marine protected areas on the high seas outside of the 200-mile limit. This is very important, as currently there's no government framework for MPAs for 50% of the planet.

Finally, Canada must make strong commitments towards achieving its goals in the coming years and towards making progress in achieving the various elements of the sustainable development goal 14, which is about the oceans, as part of agenda 2030. The future of our three oceans, the biodiversity, and the people who depend on our oceans depend on meaningful ocean protection.

Thank you.

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much. I commend both of our witnesses for being very diligent in being within the time limits.

The first questioner will be Mr. Hardie from the Liberals for seven minutes.

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Thank you, Mr. Chair, and thank you to the guests for being here.

We've heard often from a variety of people that we want science-based decision-making to be done using the "best available science".

Is our best available science good enough?

**Mr. Bill Wareham:** I'll speak to that first.

**Mr. Ken Hardie:** Would you both speak briefly, too? I have a number of questions.

Thank you.

**Mr. Bill Wareham:** Generally, we don't have all the science we need. That's why we advocate for the precautionary approach and also a commitment to adaptive management and learning around the issues that we are either concerned about or that conservation measures are being applied to. There hasn't been an ability to invest in the kinds of science we need, and we're seeing changes faster than

we anticipated. Therefore, new kinds of science are required. For some of it, many years are needed to get relevant trend data.

**Mr. Ken Hardie:** Are the changes that you're seeing changes in —?

**Mr. Bill Wareham:** They're changes in oceanographic conditions. These are things we haven't studied because we haven't experienced them before. To get relevant data you need a time series of data to be credible. It's about investing in that continued learning and being precautionary in the interim.

**Mr. Ken Hardie:** Ms. Fuller.

**Ms. Susanna Fuller:** I would just say that in comparison with many other countries we have a lot of science. We have consistent research vessel surveys for decades. We have universities that have done ocean science. In actual fact, I think we have enough science. Scientists always say we need more science—it's part of our self-perpetuation—but I think that we absolutely do have enough science. We also have ocean users who have been out there collecting information as well.

I would say that not doing things for science is not an excuse, and the precautionary approach and ecosystem approach are management decision-making tools to allow us to move forward in the absence of complete scientific information.

**Mr. Ken Hardie:** Moving forward, of course, depends on whom you speak to about whether or not an initiative moves us forward or holds us back.

We've heard your comments and comments from groups like yours, and what is missing to a large extent is any reflection of the commercial interests—the sport fishing, the people who fish for a living. To what extent do your organizations actually engage with these folks? What is the state of the relationship between, say, the Suzuki Foundation and the commercial or sport fishing groups?

● (0910)

**Mr. Bill Wareham:** As I said in my presentation, we've taken an active role in working with stakeholders. I have personally sat through numerous advisory committee planning processes. We have people sitting on the fisheries management advisory committees with DFO, so we meet with the fishermen regularly in those processes.

**Mr. Ken Hardie:** What are they telling you?

**Mr. Bill Wareham:** As a more specific forum, we formed an NGO-commercial sector dialogue forum that we meet with regularly. We worked with the groundfish fleet on the west coast for over a decade to institute reforms to that fishery, which have resulted in benefits to the fishery and benefits to the abundance of the stock. We have a good working relationship there.

There's always tension around how much is enough and where you should close areas, but there's agreement that there is a level of protection necessary. It's about how we do it, how we manage it, and making sure that there is as much opportunity to fish, where that's possible, as we can have so that we maintain that industry. We're committed to doing that.

**Mr. Ken Hardie:** Thank you.

I'm sorry to cut you short, but our time is limited.

**Mr. Bill Wareham:** That's fine.

**Mr. Ken Hardie:** We've done, I think, eight studies so far, Mr. Chair, and those are festooned with a lot of recommendations, many of which call on the DFO to either boost resources or reallocate resources. This, the MPAs, represents yet another layer, and a number of us have concerns that the DFO is far short of the resources it needs to do an adequate job.

"How much is enough?" is like asking "How long is a piece of string?" and "How high is up?", but if you were to rate what you understand of the DFO's processes right now on a scale of one to 10, how good are they at allocating the resources they have? Are they doing the right things or making the right priorities?

Second, based on that, how short are we of the resources necessary for them to do an adequate job of all of the things they're being asked to do, including MPAs?

**Ms. Susanna Fuller:** I can speak briefly to that.

I think one thing to note is that, when anybody has been given something to do that they actually feel good about and feel like they are given direction on, the productivity increases. I fully understand that DFO is stretched and staff are stretched on this marine conservation target. At the same time, they are working hard and getting things done under the current budget.

We do know that DFO has been cut several times over the last decade. We've cut science. We've cut enforcement. We've cut fisheries management. I don't have a number, but maybe Bill does because he's closer to the Green Budget Coalition recommendations. However, I think the other thing is that you can make things happen much more quickly, if you have good process and you have dedicated staff. That process piece is key because the longer DFO staff have to take to come to an agreement on a particular protected area, the more money it's going to take and the more staff time.

**Mr. Ken Hardie:** Can we ask Mr. Wareham to comment, please?

**Mr. Bill Wareham:** In the Green Budget Coalition this year, we had asked for an additional \$60 million, specifically for DFO to engage in the co-management elements that we think are essential. We think that's a bottleneck to developing MPAs. We also asked for \$60 million to go to Environment and Climate Change Canada to deal with a basic lack of capacity, so they can just get people on the ground meeting and delivering the processes that they already have in the works, let alone new ones.

Those are some short-term gaps that we see. Ideally, there would be some more, if we think that additional resources will be required to meet deadlines, like 2020, when you look at the long-term targets.

**Mr. Ken Hardie:** It would be useful in the fullness of time for you to flesh out those numbers for us because obviously, no matter what, it's going to be a big ask.

Thank you.

**The Vice-Chair (Mr. Robert Sopuck):** That's great and with 20 seconds to spare. Thank you very much, Mr. Hardie and witnesses.

Go ahead, Mr. Doherty.

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Thanks, Mr. Chair, and thank you to our guests.

I'm going to ask that, as best as possible, you keep your answers brief because I do have a lot of questions.

Ms. Fuller, you mentioned the northern cod study and that we're sitting here 26 years later with a fishery that is nearly depleted or at a critical point. Would it be fair to say that this is beyond resources and this is more of a management issue?

**Ms. Susanna Fuller:** Management always needs resources. I don't think it's beyond resources. I think we are also experiencing changes in our ecosystem, but I think that we haven't really set aside areas to allow some of these species to have recovery—

● (0915)

**Mr. Todd Doherty:** Wouldn't that be, again, going back to DFO more, because we've heard a lot about the successive cuts in the last 10 years with the previous government. For this fishery, 26 years would go beyond one government.

**Ms. Susanna Fuller:** Absolutely, yes.

**Mr. Todd Doherty:** This question is for both of our witnesses. You both mentioned polling numbers and I'm wondering if you could supply the polls that you've mentioned, like the geographic data about where the groups that were surveyed are from, the number of people who were surveyed, and if they were indeed Canadians who were surveyed. Do you have the geographic data on those?

**Ms. Susanna Fuller:** Yes, we do, but if we don't send it to you, I'll make sure our colleagues from WWF send it to you.

**Mr. Todd Doherty:** I think it's important because, when numbers are thrown out such as 90% or 81%, we know that surveys can be skewed. It is also important to know that they are Canadians who are commenting on this and not others.

**Ms. Susanna Fuller:** Yes. They're Canadians.



**Mr. Todd Doherty:** I guess this is a question for both of you. How do you balance economic activity versus protecting our environment, specifically on the west coast where we know that we have MPAs that are proposed? We have two of Canada's largest ports, the Port of Prince Rupert and the Port Metro Vancouver, and we have considerable trade and economic interests in that area. How do you balance that?

**Mr. Bill Wareham:** I'll speak to that quickly. One way is to look at hard protection where it's needed and where it's justified by the conservation needs and our commitments around biodiversity conservation. There are a lot of other management tools for conservation.

I'll use shipping in the Strait of Georgia as an example. It's been shown through science that, if we slow ships down to 10 knots, the noise levels go down by 80%. If we refit ships with different propellers, the noise levels can go down significantly. If we exclude ships from certain places where we know that whales regularly feed, you reduce the risk of noise interference and also of ship strikes, and that's throughout the coast.

When we see the number of whales increasing—fortunately, after 50 years of decline, now they're back up and the forecast is to continue to go up—we know there are going to be more ship strikes, so we can manage things in a way without actually impeding the economic opportunities. I would argue that slowing a ship down to 10 knots for the last 20 kilometres of its journey from China will not affect the American economy. I have a hard time believing that would be the outcome.

I think there are ways to manage things. I don't think we're using those management tools effectively at the current time.

**Mr. Todd Doherty:** Ms. Fuller.

**Ms. Susanna Fuller:** One thing is that we're a bit out of balance. We have less than 1% of our marine areas protected, so the rest are open for economic activity. As I said in my comments, Canada was founded on the largesse of our oceans. I think what we haven't done is given that back so as to actually have balance.

I agree with Bill that we can do better management to reduce the impacts on the marine environment without stopping activities; that can be done. We're not doing it right now in many cases. I thus think that we're out of balance, which is part of the problem.

**Mr. Todd Doherty:** Do both your organizations focus just on protecting Canadian MPAs or MPA interests or marine ecological areas? Do you solely focus on Canada as a whole?

**Mr. Bill Wareham:** Our organization primarily focuses just within Canada. The only extension is through our sustainable fisheries and seafood program, whereby we advocate for the import of sustainable seafood, in which case we're trying to get measures in offshore countries to manage fisheries in a way that protects their stocks. Our direct work, however, is all inside Canada.

**Mr. Todd Doherty:** How much foreign funding does your organization receive?

**Mr. Bill Wareham:** I think at last count it was about 15%. We embarked on a program about 15 years ago to switch our funding from foundation grants to individual donors, and we're now at a

point that between 68% and 72% of our donations come from individuals in Canada.

**Mr. Todd Doherty:** Ms. Fuller, perhaps you can bring me back to your comment that it was disappointing that the information is on the minister's desk regarding MPAs and that there hasn't been action taking place. This committee has only just begun studying this. We know that the government has launched fairly aggressive targets for this year and next.

Can you go into that a little more? I was called to the chair, but I just want to hear that comment again.

**Ms. Susanna Fuller:** That was on St. Anns Bank. I sat on the stakeholder advisory committee for five years. We were ready almost three years ago. The case of St. Anns Bank went to the minister's office—I don't remember the dates exactly, but sometime in 2014 or 2015—and it sat there for quite a long time with no response.

St. Anns Bank was not a controversial one, really, because a lot of stakeholder engagement had happened.

● (0920)

**Mr. Todd Doherty:** Is there still no response?

**Ms. Susanna Fuller:** No, it's moving now. It will likely be announced on June 8, but it needed to move.

**Mr. Todd Doherty:** Here is a question for you, then. How do we balance local interests against economic and environmental interests?

**Ms. Susanna Fuller:** I would say, coming from Atlantic Canada, that our local interests are fisheries, much of the time. We actually need those fish. This is one of our biggest exports. It's very important to our economy. I think fishermen would also agree that we can't fish it all or we won't have it there forever.

That was my comment, that some of the communities I'm familiar with have actually done some protective measures. They've put them in place, whether it's keeping one particular kind of gear out of an area or having closed areas for juvenile lobster protection. Communities, and particularly local fishermen, know that they need to put some conservation measures in place. This is why my comment was about how we empower those communities to be at the table in the very beginning, so that they can say what they would like to put forward.

Other larger industry players are able to do it. They have the capacity to do it. They can say, "Here are our areas. Use those, because they're not going to impact us." At the community level, I think you've seen good things in Eastport in Newfoundland, where they've set aside an area that was driven by the community. I know of several community efforts in Atlantic Canada through which people are becoming engaged and asking how they can use what they've already done towards this goal, but it takes some support.

**The Vice-Chair (Mr. Robert Sopuck):** Time's up. Thank you very much.

Mr. Donnelly, you have seven minutes.

**Mr. Fin Donnelly (Port Moody—Coquitlam, NDP):** Thank you, Mr. Chair.

Thank you to our witnesses for being with us on marine protected areas.

Maybe, Mr. Wareham, I could start with you. You mentioned in your presentation the need for an accelerated timeline. Could you expand on that a bit more?

**Mr. Bill Wareham:** In my own experience on the west coast, we had a national marine conservation area proposed for the southern Strait of Georgia. It's been more than 14 years, and we still don't have it even near a stage of the process whereby I would anticipate we're going to see it in the next five years.

The Gwaii Haanas area took 20 years. The sponge reefs took 14 years. In other processes we've been in that took us eight years, we actually didn't get outcomes because the process was shut down.

If you look at the goal, and the scale of area we're talking about protecting, and the historical timelines it's taken us to get through the work, I can only conclude that we have to accelerate the engagement process and the interagency function to realize the intended outcome.

**Mr. Fin Donnelly:** DFO has talked about this being a huge challenge, reaching 5% by the end of the year. We're at just over 1%.

How would you recommend the department accelerate? They have to work, as you mentioned, with other departments as well.

**Mr. Bill Wareham:** One thing that we know they're contemplating is looking at large off-shore areas that perhaps need less consultation because there are fewer users and there is not a near-shore effect from there being a lot of people and communities. That's one option we know they're exercising, and it could land large areas.

Our concern, as I said in my presentation, is to make sure that the outcome of this process actually benefits us from the point of conserving biodiversity and recovering degraded species and fish stocks. It's in that hard work, which is more on the shelf and in the inland waters, that we have to do a lot more.

I don't have the magic on that problem. If we decide that we really want to do this, we have to put more resources in place. Where the government gets them is a bigger economic issue. Whether we take them from oil subsidies or other places in government, it's obvious to me that.... Then if you throw in the layer of first nations co-governance, it becomes very complicated very quickly.

I think there are ways, including revising the Oceans Act, that will help us do some of this. There are some process best practices

around consultation and engagement that I think we could use much better to get the job done sooner.

**Mr. Fin Donnelly:** Okay.

You mentioned "enough resources". You also mentioned that you sit at planning tables. Could you expand on what is "enough"? What will it take to get us to 5%? What kind of resources are we talking about?

**Mr. Bill Wareham:** As an example, in the Pacific north coast integrated management area process on the west coast, we had secured funding from third parties, which I think is a beneficial thing to look at—private-public partnerships. In total, with government and philanthropic money, I think there was almost \$30 million put towards that process. It took five years in development, it ran for two years, and then it was shut down.

If you really want to engage at that comprehensive level, you're looking at that kind of money to do the process well. I would say that in this target MPA issue you would look at easily \$30 million to \$60 million on our west coast over the next five years to meet these targets.

• (0925)

**Mr. Fin Donnelly:** Great. Thank you.

Ms. Fuller, you mentioned that you think things are out of balance and that we're not achieving balance. If we fast-forward to 2020 and, say, achieve 10%, that leaves 90% for economic uses in our oceans.

Can you elaborate more about 10%? Do you think that's enough? What is enough to achieve the balance?

**Ms. Susanna Fuller:** Scientist said about 30%, I think, is one of the key objectives. From the standpoint of spatial protection, 10% is probably not enough but I also think that we have other management measures, whether it's through shipping, fisheries management, or marine planning, that we can put in place and that will help us get to more protection.

We have more protection from some industries. I think that has to be considered, but 30% is the figure the world is sort of landing on, based on a lot of scientific advice and what other countries are doing.

The U.S. has set aside about 32% in marine protected areas, and 3% of that is "no take". That gives a fair amount of leeway for some low-level sustainable activities to continue to happen. We know that already our MPAs tend to be zoned for low-level fishing activity. My view is that 75% needs to be "no take" to have actual biodiversity protection.

**Mr. Fin Donnelly:** It should be 30%, and you mentioned that the United States is at 32%.

**Ms. Susanna Fuller:** Yes.

**Mr. Fin Donnelly:** They've already exceeded the goal of 30%, then.

**Ms. Susanna Fuller:** Yes.

**Mr. Fin Donnelly:** Do you think things are working in the United States, in terms of their oceans?

**Ms. Susanna Fuller:** I can't comment on that right now. There's a change in administration.

**Mr. Fin Donnelly:** Well, that's a direction, I guess, but in terms of its historically being 30% or 32%, is everything protected in that area?

**Ms. Susanna Fuller:** They have lower levels of overfishing. For about 30% of it, you can't do bottom trawling. I think it's working to the extent that it possibly can and given the amount of science you would need to actually test to see whether it's working. That's the burden of proof. Often we hear, "prove to us that it's working". We don't ask our national parks to prove to us that they're working.

I think we'll find out in the next few years how long those national marine monuments also stay in place. It has to be long-term protection.

**Mr. Fin Donnelly:** Okay, thank you.

Mr. Chair, I want to use the remaining minute to correct the record from April 4. We had on Tuesday, April 4, DFO officials with us. Jeff MacDonald said:

...the purpose of the Oceans Act MPAs is to support the sustainable use of oceans. Therefore, any activity that is compatible with the conservation objective is supported.

I just want to correct that. My understanding is that the purpose of MPAs is not sustainable use. The purpose is special protection, according to section 35 of the Oceans Act, which lists the reasons for which MPAs can be created.

I have that, but I'm sure I'm out of time.

**The Vice-Chair (Mr. Robert Sopuck):** You have 10 seconds.

**Mr. Fin Donnelly:** Subsection 35(1) has paragraphs (a), (b), (c), (d), and (e), and I can certainly read that into the record. I just want to correct that, so the committee is aware of that.

**The Vice-Chair (Mr. Robert Sopuck):** Time is up.

I want to thank our witnesses and my colleagues for sticking to the time limits and having a very efficient session.

We will now suspend for a few minutes and have our next witnesses take their places.

• (0925) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (0930)

**The Vice-Chair (Mr. Robert Sopuck):** We'll come to order.

We have two organizations and one individual as witnesses. We have the Gulf Nova Scotia Fleet Planning Board, represented by Leonard LeBlanc and Andrea MacInnis; and the Prince Edward Island Fishermen's Association represented by Robert Jenkins and Ian MacPherson. We have Mr. Jordan Nickerson as an individual.

Each organization and Mr. Nickerson will have 10 minutes for their presentations. If there are no objections, we'll start from the top, with the Gulf of Nova Scotia Fleet Planning Board.

You have ten minutes.

**Mr. Leonard LeBlanc (Managing Director, Gulf of Nova Scotia Fleet Planning Board):** Thank you, Mr. Chairman, and thank you for inviting us to appear before you.

MPAs constitute a very important subject. My comments will refer to the one that was contemplated for the western side of Cape Breton, the Cape Breton Trough, as it's best known.

My past experience in the fishery is as a fisherman for 33 years. I recently retired, about three years ago, and I am now the managing director for the Gulf Nova Scotia Fleet Planning Board. We represent in excess of 500 harvesters, of whom 100 or more would be directly affected by this MPA, should it be designated.

All these harvesters are primarily dependent on lobster and snow crab but also hold other species licences. The Cape Breton Trough is a very important fishery in the area for these harvesters, and naturally they are concerned about what may happen. I'll give you the financial concerns they have.

The DFO consultations on these areas of interest began on November 10. We had two meetings, one on November 10, 2016, and another one on January 18, 2017. The process DFO used to approach harvester associations and consult on the areas of interest for designation was unorganized and totally not transparent. They indicated that the process to establish MPAs is typically a lengthy process over many years, yet they seemed to be rushing the process along to meet strict deadlines by 2020.

Additionally, there was apparent confusion within DFO about the newly proposed area for MPA designation, with some key departments—by this, I mean management and science—not being on the same level as the consultation progressed. This led industry to believe that the consultation process was not well planned, organized, or transparent even within DFO, and this surely was a red flag for us.

It was also unclear at the consultation meetings why the Cape Breton Trough was chosen for protection, and there was absolutely no scientific baseline provided for why the area was considered biologically important. No answers were provided at any of the meetings. When questions were asked, they were deferred, to be answered at a later date.

Additionally, the science peer review for this area had not been completed before consultation began, and when industry asked whether they could observe the peer review science process, they were originally given a blunt "no". Again there was a lack of transparency in the process. This meeting was supposed to be held on January 18, 2017, and it was postponed.

It was difficult to understand why industry was not allowed at the science peer review, as industry has willingly participated in fishery science activities for many years, collecting valuable data, including data for scientific studies by Ph.D.s and people with master's degrees. Industry therefore got the impression that there was no scientific reasoning for the placement of this area of interest for MPA designation.

Following these issues, there were no guarantees at the consultation that the traditional fisheries in the area could continue in the wake of an MPA designation. As you can imagine, this was unsettling for harvesters, as there were no answers for what an MPA might look like or what restrictions there might be on their fishing activities.

This area is a significant traditional fishing area, particularly for the area 19 snow crab harvesters, with 156 licence holders. This year their gross landed projected value would be in the vicinity of \$32 million, and the estimated net value of their quota trap share would be \$136 million in that very box that was being talked about. You can understand their fears and concerns, when their main income was being somewhat challenged.

Finally, this consultation process on the area of interest for MPA designation in the Cape Breton Trough perpetuated the lack of trust between industry and DFO. The lack of inclusion and answers during the consultation phase, the lack of real scientific evidence for reasoning behind the area of interest, and the lack of guarantees that traditional fisheries could continue all led to further distrust of DFO's consultation and decision-making process.

Additionally, area 19 was in a co-management agreement with DFO as of 1996, and in 2010 DFO simply walked away from that legal and binding agreement. Therefore, harvesters, particularly in this area, are very wary about DFO and lack trust in its processes, based on the history.

● (0935)

At this point, you might think we're totally against MPAs, but we would like to think there's a way forward here. First of all, we think it was positive of DFO to have backed off the momentum they were building on the implementation of this MPA. We, along with our first nations friends, who also fish in the same area, had the same reservations. We thought we might want to pause the action and maybe regroup. That was done, and it was a good step.

We think that DFO should provide a concrete definition of what an MPA is and what it might look like in the area. In other words, come with the full package, put all the cards on the table, and let's have the discussion, instead of doing it piecemeal. Industry should be involved in the designation of an area of interest, not simply being told where the box is and here's how we proceed from here.

Second, scientific evidence for why the area is biologically important must be provided before consultation resumes. The first question at consultation will revolve around why we are protecting this area. There should be scientific evidence already in place to answer these questions. Additionally, industry should be invited to participate, with a minimum of two members. When they had finally opened the door to the peer review process, they begrudgingly said,

“Okay, we'll give you one seat.” We said, no, we wanted two seats per association. This will increase the transparency and trust.

Third, there should be consideration for a legal and binding guarantee, or at least a contract with the Government of Canada that traditional fisheries must continue within an MPA, particularly in cases like the Cape Breton Trough, where fishing is the main economic driver in the adjacent rural fishing communities.

Lastly, DFO should take advantage of the MPA designation process to continue building trust with the industry. Harvesters in Gulf Nova Scotia are not opposed to protecting biologically sensitive areas of the oceans for the benefit of marine life; however, they are opposed to unclear, non-transparent DFO processes to establish such areas. The fisheries are the backbone of the economy of rural Nova Scotia, and MPAs should be established with this consideration and in collaboration with those who depend on the marine resources in the area for their livelihoods.

I'll conclude with this. Harvesters want to be involved in open, transparent DFO decision-making processes from the start to the finish, and they want guarantees that traditional fisheries will continue within MPAs. Harvesters want to protect marine mammals, marine species, sensitive benthic areas, which are good for the marine environment. At the same time, when we're protecting all of these species, it would be good if we actually protected the owner-operator and fleet separation, and to have that entrenched in the Fisheries Act, as others have mentioned to you in previous presentations. Let's protect the fish, but let's also protect the harvester at the same time.

Publicly, I would like to thank the Pictou Landing First Nation for supporting our actions. They're very much part of our association, and we dialogue with them continually. We really appreciate their support in this endeavour.

Again, I would like to thank the committee for allowing us to present our concerns, and we are willing to address any questions you may have.

● (0940)

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much, and with time to spare.

I will now turn to the Prince Edward Island Fishermen's Association for a 10-minute presentation.

**Mr. Ian MacPherson (Executive Director, Prince Edward Island Fishermen's Association):** Thanks very much, Mr. Chair. I want to make the committee aware we do have one more person in the room off-camera—Laura Ramsay, our research and liaison officer—if there were a technical question that we needed to caucus on.

On behalf of the Prince Edward Island Fishermen's Association, I would like to thank the Standing Committee on Fisheries and Oceans for the opportunity to present today on marine protected areas. My name is Ian MacPherson, and I am the executive director of the association. I am pleased to be joined by Captain Robert Jenkins, who is the president of the PEIFA.

The PEIFA represents over 1,260 core fishers on Prince Edward Island, who primarily fish lobster, with some secondary fisheries in herring, mackerel, halibut, and bluefin tuna. The PEIFA has been very interested in the MPA file since the declaration was made by Prime Minister Trudeau to increase the coastal areas around Canada from approximately 1% to 10% by 2020. We would like to note some observations and concerns we have surrounding the implementation of these areas in the given timelines.

First, the PEIFA understands the requirement to protect marine environments, but we do have concerns surrounding the tight timelines to accomplish these goals. The first step to designating a ministerial order MPA is to gather existing scientific, economic, social, and cultural information on the area. Prince Edward Island is a small province driven by small fishing communities. The displacement of fishers from one community to another as a result of an MPA would shift the economics of the island. Throughout the consultation process, fishing areas were discussed, but not the economics of how a large MPA along the small coastline of Prince Edward Island would impact the island.

Second, scallop buffer zones are now going to be considered part of the other effective area-based conservation measures. We've been made aware of that quite recently, and that's a positive development. This requires a change in management of the zones from a variation order to local licence conditions. We are requesting written confirmation that these buffer zones will remain at a regional level, as they are now, and not be federally regulated like MPAs. We'd like that local control to carry on.

Third, on areas that require immediate attention the information updates to industry need to be more frequent. This includes updates stating that no changes are being considered for a particular area at this time. To date we receive a biannual report, which appears to be created for all of Canada. These updates give a generalized background of the current issues. We are looking for updates more specific to our area and surrounding regions. The Cape Breton Trough was announced as an area of interest in January 2016. However, the PEIFA has never received a formal update from the Department of Fisheries and Oceans stating this. These are the kinds of announcements that impact our bioregion, and updates should be provided on a more frequent and timely manner.

Fourth, in reference to the Cape Breton Trough, we received one email saying it was postponed, but conversations at the round table in Boston stated that the plan is to still go forward with this area as an MPA for 2020. Since then we have received mixed messages again. We are looking for confirmation that the Cape Breton Trough is moving forward toward becoming an MPA in 2020. I believe Mr. LeBlanc just alluded to some of those issues about communication and transparency, and certainly that supports our position.

Fifth, although there are numerous situations where MPAs have improved the fishery, there have been situations where MPAs have

failed to achieve expected results for the area. Is there or will there be a timeline in place to ensure a positive contribution is being made to the sustainability of the area? For example, if an assessment timeline is five years, and after five years there is no improvement, will the MPA be removed, reassessed, or moved? Is a backup plan in place?

• (0945)

Sixth, the PEIFA was promised a map in January of this year that would note areas of interest. Is there a new timeline for identifying these areas as we have not received any map to date?

Seventh, it is our understanding that areas in the Gulf of St. Lawrence are being identified for the protection of corals and sponges. If the fishing restrictions are put in place, these will not count toward any MPA totals. We would like to see DFO advocate that these areas be included in future MPA totals.

Eighth, the PEIFA is greatly concerned over the proposed oil and gas development of the Old Harry region near the Quebec and Newfoundland ocean boundaries. There are many indications that exploration for this project will be proceeding. The Gulf of St. Lawrence is one of the most diverse bioregions in the world. Why would we risk the many fishing and tourism jobs that sustain the region to develop a resource that is more accessible in other regions of Canada? It makes no sense to designate large areas of coastal waters as MPAs, but then to allow oil and gas development in the same region. An oil spill, particularly in the winter months, could significantly damage the coastlines and fisheries in all provinces in the maritime region due to prevailing currents.

In summation, fishing is the lifeblood of many communities on Prince Edward Island. Protection of the environment is paramount, but it must be done in a responsible and prudent manner. We encourage the standing committee to look at the implementation of MPAs through a community impact lens. The fishery in P.E.I. has the largest impact on GDP of any province in Canada. Protection of the environment is very important, but we must also consider the independent owner-operator fleets and their significant financial contribution to the economy of Canada. We ask that our input and concerns be seriously considered as we move forward with these aggressive goals in increasing marine protected areas.

Just before I conclude my portion, Mr. Chair, because I know the committee deals with a number of issues, I would like to request that for any future discussions on owner-operator or changes to the Fisheries Act that the PEIFA be consulted directly. I'd like that to go on the record.

This concludes our opening remarks.

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much. You have two minutes to spare. We have a very efficient witness group today.

Mr. Nickerson, you have 10 minutes.

**Mr. Jordan Nickerson (Fish harvester, As an Individual):** Good morning, committee. I would like to thank everyone for their time this morning.

My name is Jordan Nickerson. I was asked here today to discuss my stance on both marine protected areas and sensitive benthic areas in Canada's marine conservation strategy.

I would first like to take a minute to give everyone some background information about me and the company of my family, which I represent.

Our family business started in 1988; however, our family roots as fishmongers started well before then in a small community called Woods Harbour, tucked away in southwest Nova Scotia. Three brothers came together and built a business buying lobsters and groundfish from independent inshore fishermen, creating a quality product to ship worldwide and developing quality business relationships with customers who are still with us today.

Over the years we have seen groundfish come and go, lobster catches rise and fall, prices at their highest, and prices so low the industry ground to a halt. Throughout this time our family business has managed to stay alive, battle the good fight, and earn a meagre living. We employ 50 employees year-round and try to give them a decent living in an area always held ransom by the rewards and debts of the ocean.

I graduated from Dalhousie University in 2010 with honours in earth sciences. Oddly enough, I spent several years studying the very corals and sponges that we endeavour to protect today. Upon graduation, my father urged me to go west for work, as the lobster and groundfish fishery was in a state of rebuilding and the future of our business model was uncertain. I worked in western Canada as a geologist for four years, coming home only in the spring and fall to try to effectively manage my father's recent purchase of deep-sea red crab licences.

For those of you who may not be aware, the deep-sea red crab lives in a very narrow band of waters on the Scotian Slope over 500 metres deep. They can only be caught by baited traps at very specific times of the year in a very unique area of the ocean.

My father first purchased the only deep-sea red crab licences in Atlantic Canada, as it was apparent that the future of any seafood business grossly relied on being able to source seafood for the increasing Chinese demand. He also realized that with such a niche fishery, and it was his opportunity to manage it for the future of his business, his community, and his family.

My father, with a lifetime in the fishery, was very hesitant to allow me to join the family business, as I had a very lucrative job oil-prospecting in a booming part of Canada. However, eventually I decided it was in my best interest to follow my dream and my passion, working in the seafood industry with my family. Some might even say it was in my blood.

After spending four years and countless hours experimenting, studying, and working with our developing fishery on the deep-sea red crab, we decided to literally put it all on the line, build a special-

purpose, innovative vessel specifically designed to harvest this delicate crab species, and service the premium live market in China.

With a price tag of \$1.5 million, 12 months of labour, and a novel approach to a fishery susceptible to boom and bust, our venture was hailed as one of the biggest risks anyone has ever taken in my area.

We launched our vessel *Ina K*, appropriately named after my grandmother, Ina Kathline Nickerson, in October 2015 and made two trips to the Corsair Canyon in which enough product was landed to deem the investment a possible success.

Of course you may remember the Corsair Canyon. It was announced as a sensitive benthic area in September 2016.

Our crab was landed in pristine quality and our customers were satisfied with our product. As a company, we were slightly relieved, as it looked as though we might actually achieve our dream and see a possible return on investment, while the idea of providing more long-term jobs was perhaps actually possible.

With our sample harvest landed, the vessel was taken out of active fishing duty for the winter as we developed our markets to prepare for the start of the next year's full crab season. As it was, during this winter we were all too quickly familiarized with the concept of MPAs, SBAs, and marine conservation targets, by DFO and the Government of Canada. Abruptly, our access to our fishing grounds was being called into question, thereby adding more complexity to an already strenuous situation.

This current directive to protect the ocean leaves me with more questions than answers. As harvester and processor, I would like to know how I, my business, my employees, and our shared future will be affected. What are our goals for MPAs and SBAs? I've often heard about collective goals of SBAs and MPAs; however, I feel I must describe our approach to our fishery and how the new mandate of SBAs and MPAs will directly affect us and our business.

Having sole ownership of the deep-sea red crab quota and unique fishing grounds that the crab inhabits moulded our concept of harvesting this species and ultimately forced us to become self-governing.

Our fishing grounds are found in the most remote, deepest section of the ocean, where science is lacking and information is virtually non-existent. Taking the time to survey the ocean bottom, sample fishing grounds, develop catch models, and map out our effective catch areas allowed us to justify building and investing in our fishery.

Since this deep-sea red crab is a very sensitive creature that has a very unique and slow-growing life cycle, we came out with the following catch model. First, fish where the crab are. Deep-sea red crab fishery will start in late April and May to coincide with their migration up slope to more fertile grounds as the lobsters migrate inshore to vacate the upper slope.

• (0950)

To be effective harvesters and limit lobster as a bycatch, we must use fishing history and models to determine what sections of the slope to target during various times of the year. With the implementation of SBAs in the Corsair Canyon, a sizeable section of my fishing area is now in jeopardy. Now I must increase my effort in neighbouring areas, which will increase my total exploitation rate to an unknown extent.

Second, avoid sensitive times and areas. Red crab mate, shed, and release eggs in a very small, definable area during specific times of the year. We avoid these areas for harvest to minimize disruption to this activity. As I lose ground to fish in, I and others may be forced to target these sensitive areas, causing more problems than solutions.

Keep enough crab in the water. Each year we tweak our catch according to productivity and profitability. This renewable resource approach is based upon the finite area that we are allowed to harvest. What do we do, without being able to fish the entire ground?

If our goals as harvesters and conservationists are not aligned, we will never find a common ground for a solution. Science and direct facts will lead us to a better understanding and ultimately may lead us to a shared interest. At this juncture, proposed closures seem to add havoc and limit the underlying science, save for the drive of achieving the same target under a percentage that would detract from the values we proposed to protect.

A second question is, who set the criteria for the goals and how will we achieve them in this timeline? Nova Scotia is now dependent on the fishery more than ever. Our offshore oil and gas sector has dried up, and the future of new offshore oil and gas royalties is bleak at best. Manufacturing in Nova Scotia will only provide a handful of jobs, and the combined effort of all other sectors makes Nova Scotia a have-not province without our fisheries.

I agree that conserving the fishery is in the best interests of our future generations, but only based upon science, true facts, and goals that can be attainable working with fishery stakeholders. The international arena has always levied huge pressure on any resource-rich country, especially if their goals are indifferent.

Canada should be a leader in listening to its people and taking the time to listen and spend the money and do the proper science before coming to a huge decision such as establishing SBAs and MPAs supposedly based on science. These decisions will take time, but they should be Canadian decisions based on Canadian timelines, not offhand commitments made to international arenas void of any voices of those who will be impacted most and who are most informed on the decision.

We should all understand the importance of saving and protecting the environment; however, environmental groups don't depend on the fishery to put food on the table and tax dollars to work. They are using their campaigns to maintain their future funding strings and their own future, without considering the impacts on those closest to the resource.

I think Canadians as a whole would love to protect some of their beautiful waters and the creatures that make up our ecosystem; however, once again we must take the time to do proper science and

establish realistic timelines to ensure that the values we are protecting are the right values.

Who will be affected, and for how long? Ultimately, we agree that there will be sound reason to close sections of the seabed in hopes of protecting groundfish and sensitive benthic organisms. The amazing thing about our oceans, however, is that most species have legs and fins and are highly mobile. Even the most sedentary species spend their time floating around in the currents before settling on the ocean floor.

Our oceans are warming, and organisms relocate to areas that are more conducive to living with their highly specific needs. If a location that was deemed an MPA or SBA were highly recommended based upon science and we were locked into a lifetime ban on fishing, what value would this MPA or SBA have in 10 or 20 years? Will we need to add future MPAs and SBAs to compensate for the mass migration of species?

If this is the case, we as stakeholders question whether there will be any fishing grounds left for our children, grandchildren, and great-grandchildren to come into the industry. Will they instead look west, as I did?

Will ill-informed decisions today ultimately force Atlantic Canadians to give up their true identity and heritage as fish harvesters and processors working and adapting to a changing ocean, or will future generations be forced to live their lives in mundane jobs in which their true spirit as pioneers and their ancestry are crushed by ill planning and lack of true science?

I thank you all for allowing me to speak. As you can no doubt understand, this is an issue that's very close to my heart, as I have been forced to watch wave after wave of regulation and rules alter the very foundation that my family has based their livelihood on for generations.

• (0955)

**The Vice-Chair (Mr. Robert Sopuck):** Thank you, and again, Mr. Nickerson, you too were under the time.

I'm going to make an editorial comment here. I very much appreciate the testimony. I listened with great interest to the testimony from our witnesses just now. We often hear from bureaucrats and activists and people who are not directly involved in an industry, so to have industry representatives with their feet on the ground—or on their boats on the water—is very refreshing for the entire committee. We would urge you and all of your colleagues to follow this issue very closely, as does everybody else.

The first questioner is Mr. Morrissey, from the Liberal party, for seven minutes.

**Mr. Robert Morrissey (Egmont, Lib.):** Thank you, Mr. Chair.

I'm going to share some of my time with my colleague Ms. Jordan.

To follow up on the editorial comments from the chair, I've sat through a lot of presentations in this committee over the last couple of years, and I want to acknowledge the three presentations I've just heard. As the chair has pointed out, often we will get a lot of data thrown at us from various professional segments or from staff at DFO, but you three have presented what is the face of the communities and the fishery.

Without being critical of anybody, in the preceding comments that were given, there was no reference to community well-being, and I think it's—

• (1000)

**Mr. Todd Doherty:** The question was asked.

**Mr. Robert Morrissey:** Pardon?

**The Vice-Chair (Mr. Robert Sopuck):** Order.

**Mr. Robert Morrissey:** That was from the presenters. There was none...and the focus was on the whole bio well-being of resources.

You cannot proceed down that road without having a thorough analysis of the impact on community, and you three did it so well. My brief question would be, do any of you feel that DFO is moving too fast in this area?

That's for whoever wants to answer, Mr. LeBlanc or particularly Mr. Nickerson.

**Mr. Leonard LeBlanc:** From my experience and the discussion I had with DFO, I think they're moving too fast, based on the knowledge they have to support what actions they want to take. That's the main concern we have. If they had brought the evidence before us to say, "The Cape Breton Trough is special because of these criteria and this scientific proof", then we could say, okay, they actually have brought some evidence before us.

When they want to move at the speed of light as they wish, without evidence, without giving us a reason why, and without giving us guarantees that we would be able to participate in that fishery, then we're saying to slow down. That's what they've done. They've taken a step back.

**The Vice-Chair (Mr. Robert Sopuck):** Excuse me. I've stopped the time.

For our witnesses by video conference, since you can't see us, if you would like to speak, just put your hand in the air and I will recognize you.

Let's start the time again, with Mr. Nickerson, please, briefly.

**Mr. Jordan Nickerson:** Again, I'm a small business owner. I'm dealing with a lot of issues on a daily basis in terms of boats, harvesters, and employees. Ultimately, to have to focus now on something else is a great stress on my timeline in being able to conduct my business. With being hauled away from my office and going to Halifax for meetings, it's hard for me to make sure to take care of my bottom line. This is all happening on a very strict timeline.

Again, I have no problem talking with DFO and working with everyone. I understand that certain things need to be protected. At the same time, I still need to protect my employees and my

fishermen. I think that at the moment, yes, it's moving very quickly, but that being said, it's not that changes can't happen quickly.

**Mr. Robert Morrissey:** Okay. I would like to go to Mr. MacPherson, and Mr. Jenkins may comment.

Just briefly, the lobster fishery is one of the great success stories of fishery management in the gulf region. Could you elaborate a bit on the steps the industry has taken? A lot of that is innovative and driven by the industry itself, and that has allowed this fishery today, which is one of the most successful in maritime and Atlantic Canada.

**Mr. Robert Jenkins (President, Prince Edward Island Fishermen's Association):** Ian has passed that over to me, Mr. Morrissey. I'll speak to some of the things that have been done in the past 10 years in the three LFAs on P.E.I.

I'll start with 26A under the ASLM. It took 19,700 traps out of their LFA and retired 33 licences. I believe area 25 is somewhat the same for reduction of licences; I believe it was over 30 in LFA 25. For area 24, LFA 24, there were carapace size increases. There wasn't a recommendation for them to ever actually buy up any licences when we did the ASLM, but they've done their share too.

It's ongoing. We're still doing things. The buffer zones were put in and were called "scallop buffer zones" in LFA 26A. It was a direct result of habitat protection for lobsters. Like we say, that's being looked at, I understand now, in the other LFAs for more habitat protection.

Regarding the lobster fishery, it's an ongoing thing. A lot of stuff has been done in the last 10 years regarding—

• (1005)

**Mr. Robert Morrissey:** Bobby, I have to turn my turn my time over to Ms. Jordan. This is an area we'd like to spend a lot more time on, but we don't have it.

**Mrs. Bernadette Jordan (South Shore—St. Margarets, Lib.):** Thank you.

Thank you to our witnesses for appearing today.

Mr. Nickerson, my question is primarily for you. We had a lot of discussion with officials who said that they consulted heavily with people before they actually put in an MPA or a sensitive benthic area. I'm just wondering if you felt that you were consulted properly before the benthic area was announced for Jordan Bay.

**Mr. Jordan Nickerson:** Again, I was busy building our vessel and was in construction mode. The red crab fishery had been dormant for close to 10 years, so there was a lot of overlook on what actually was being fished in that area. I was not consulted directly. It wasn't until one of my independent fishermen spoke up in a meeting and said, "Listen, these guys are building a boat for the red crab fishery. Don't you think they'll be impacted?" It was at that time, of course, that we were just done fishing in the Corsair Canyon and DFO was alerted to the fact that we in fact were fishing in that area.

Financially, if we had not been in the correct area to build this boat, and maybe delayed it a couple of years, perhaps we wouldn't even have embarked on this journey to build the boat and keep these jobs. We probably could have been forced in an entirely different direction.



**Mrs. Bernadette Jordan:** Can I ask you to talk just a little bit about the fishermen in the community? I know that you're well informed in that community. Do you feel that they feel they were consulted enough on whether or not that benthic area should go forward?

**Mr. Jordan Nickerson:** They weren't. Again, fishermen are very industrious. They're busy fishing. In order to consult with fishermen, you have to get to them on their level. You can't have a town meeting. You have to go and talk to them as individuals.

**Mrs. Bernadette Jordan:** Thank you.

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much.

Mr. Doherty, you have seven minutes.

**Mr. Todd Doherty:** Mr. Chair, I'm going to split my time with Mr. Arnold.

**The Vice-Chair (Mr. Robert Sopuck):** As you wish.

**Mr. Todd Doherty:** I have two real quick questions and a comment.

I will agree with our colleagues across the floor that this is who we should be talking to. This is who these decisions impact.

Mr. LeBlanc, I want to mention that this will be incredibly helpful for any witnesses who are appearing before the committee, moving forward. This is the right way to do it.

To the witnesses who are here—I think everybody can chime in on this—I'm wondering who was around the table when DFO was making the decisions on this. You said that clearly they weren't listening to the fishermen. Who was around the table? Which groups were around the table to make these decisions?

**Mr. Leonard LeBlanc:** The first we heard was that they had an area of interest. When they talked to us, I think in November, that was the first we heard of it. We heard the buzzword of "MPA". It was flowing everywhere.

**Mr. Todd Doherty:** Which groups were around the table?

**Mr. Leonard LeBlanc:** Pretty well all the associations that would be affected by the area were first approached.

**Mr. Todd Doherty:** In your opinion, who's DFO listening to when making this decision?

**Mr. Leonard LeBlanc:** In my personal opinion, I think they're listening to the Prime Minister's Office.

**Mr. Todd Doherty:** The last comment I'm going to make is this. I'm going to apologize to our witnesses. I watched very intently Mr. Nickerson, Mr. LeBlanc, as well as our witnesses appearing before video. I watched the camera feed that was on. I think if any of our colleagues around the table could see the....

I'm going to ask...our witnesses who are behind them. The smiling, the shaking of the head, and the contempt for some of the testimony that we're hearing from these people who are impacted by these decisions is shameful.

Ms. Fuller, I apologize, you're not on camera right now, but when Mr. Nickerson was making his comments, talking about how these decisions impact, and the fact that you're right behind the camera and right behind him, I hope that you're not on camera—

**Mrs. Bernadette Jordan:** I have a point of order, Mr. Chair.

**The Vice-Chair (Mr. Robert Sopuck):** I'll stop the clock.

**Mr. Todd Doherty:** It's shameful, actually. It's shameful.

**Mrs. Bernadette Jordan:** It's still not appropriate.

**The Vice-Chair (Mr. Robert Sopuck):** Did you have a point of order to discuss?

**Mrs. Bernadette Jordan:** I just think that we're talking to the witnesses who are here, and the questions and comments should be directed at the witnesses who are here, not the ones who are not appearing before committee.

**Mr. Todd Doherty:** With that, Mr. Chair, I will apologize to our witnesses who are appearing before the committee and are telling us how these decisions will have an impact. I think we have somebody on video who has a comment.

**The Vice-Chair (Mr. Robert Sopuck):** From Prince Edward Island, did you have a comment?

• (1010)

**Mr. Ian MacPherson:** It's relative to a couple of previous questions.

I think we have a situation here where maybe you have a good idea but it's a flawed execution. I would say that from our perspective, our perception on how this will roll out is that the decisions are being made on the fly, without proper transparency and dialogue with industry.

Alluding to a point I made earlier in our presentation, it's the position of DFO that they update industry twice a year. This has a huge impact on all the fisheries in Canada on the coast. The industry has had to go back and ask for more information. There really should be monthly updates, from where we come from.

Thank you.

**The Vice-Chair (Mr. Robert Sopuck):** Thank you.

Mr. Arnold.

**Mr. Mel Arnold (North Okanagan—Shuswap, CPC):** Thank you, Mr. Chair.

I thank the witnesses, all of you, for being here today.

I want to refer back to a couple of meetings ago. We had another Mr. LeBlanc testifying before the committee. When I questioned him about the process, because I had heard it was very rushed, that staff were scrambling to try to meet the targets, he denied that. He said it was well managed, the staff were well resourced, and it was effective, efficient, and so on.

Mr. LeBlanc, we heard from you today that was certainly not the case, that it was disorganized. Can you elaborate a little further on that? We are certainly hearing two different stories here.

**Mr. Leonard LeBlanc:** I can relate back to our experiences at the two meetings and the many phone calls we have placed with DFO to get clarification. We simply heard that the answer would be forthcoming. We haven't heard the answer yet, on many things. Specifically on why this trough and why this area, we got no answer. Basically they said that the answer would be forthcoming and to be patient.

Then, when we met with Mr. LeBlanc, who is not my cousin, by the way—maybe a long-distance relative somewhere—even they were perplexed as to the level and the speed that it was proceeding. Some of them were kind of wondering how they fit in, especially with times. We were getting mixed messages from different levels of DFO, so to claim that this was a smooth, well-oiled working machine, that wasn't our experience. It seemed like it was a top-down approach. The region was left holding the ball and had to run with it, but wasn't prepared to even hold the ball at all.

**Mr. Mel Arnold:** Thank you.

On the consultation process for harvesters and people who are directly impacted by this process, are they accommodating of your schedules? Are they considering your peak fishing times, the times when you need to be out on the water to make your living? Are they accommodating of that process?

Mr. Nickerson.

**Mr. Jordan Nickerson:** I can speak to that.

When they were defining the SBA on the Corsair Canyon, they did take time. They were more than accommodating with our schedules. We worked quite closely with them in a very quick time period to try.... There was a bit of give and take on, "Yes, okay, you can fish here. We'll try to massage this closure to best suit any damage to your fishing."

In the end, we all agreed to protect the coral. I know and value the importance of the corals. It was pretty apparent that there were corals there, and most people do not fish there anyway. I never fished in that area regardless, so it was a win-win for everybody.

**Mr. Mel Arnold:** I meant the actual consultation process. Were they accommodating to fit you into the meeting time and so on?

**Mr. Jordan Nickerson:** Yes, they were—very much so.

**Mr. Mel Arnold:** Thank you.

I'll just make a statement here. I want to make sure that we're comparing apples to apples. It was mentioned earlier today that the island of Palau has set aside 80% of its ocean area as protected. In this committee, we need to consider what it was really protected for and what it was protected from. I don't believe there was any deep-sea fishing there. It was probably all protected for scuba diving and snorkelling, if I were to guess. It's a totally different situation from Canada, so let's make sure we're comparing apples to apples and oranges to oranges in our process.

Thank you, Mr. Chair.

**The Vice-Chair (Mr. Robert Sopuck):** Great, thank you very much.

Everybody is right on time.

The next questioner is Mr. Donnelly, for seven minutes.

**Mr. Fin Donnelly:** Thank you, Mr. Chair.

Thank you to all our witnesses for providing your testimony today.

Mr. LeBlanc, maybe I could start with you. You mentioned your concerns for the organization quite well. What would you recommend to the government in terms of addressing those

concerns? How should they accommodate the organization and your needs?

• (1015)

**Mr. Leonard LeBlanc:** My recommendation would be that they go back to square one and establish a proper process that is inclusive not exclusive, to make sure that all the participants who will be affected will be properly consulted and will be giving evidence, and have their questions answered in a proper and timely fashion.

The pattern that they used in their process was more like, "We know it's going in. We're just here to listen to you and after that we'll make a decision." That's how we felt. We didn't feel included.

We've taken major conservation changes in our own area. We have moved on our own and had great co-operation with DFO, because we started as equals from the beginning. Within this process, we didn't feel like equals. We basically felt like people who might be heard but not be listened to. It didn't leave us with a real fuzzy feeling when we left any meeting with DFO.

I think moving forward, that has to be the first step.

**Mr. Fin Donnelly:** Thank you.

Do you feel that there are any areas that are worthy of protection in the seas of Nova Scotia? I think you alluded to this.

**Mr. Leonard LeBlanc:** I'm sure there are some areas that are worthy of protection. I said it in my comment: obviously a healthy fish is a healthy fishery at the end of the day.

At the same time, we can't forget what has been happening that has been very positive for the fishery. For the general public, when they start talking about putting in MPAs, their conclusion is that everything has gone wrong in the fishery. Actually, there have been very positive steps in the fishery, as taken by industry, by academia, and by DFO.

Sponges and corals are probably the obvious ones that need special protection. It probably takes, I don't know—I'm not a biologist—80 to 100 years to have corals grow back, so they obviously need special protection. I think process is the key to moving this forward.

**Mr. Fin Donnelly:** Thank you.

Either Mr. Jenkins or Mr. MacPherson, do you feel that these protected areas could play a role in helping certain depleted marine species and populations recover?

**Mr. Robert Jenkins:** Yes, I believe it probably will. For the scallop buffer zones that were implemented in 1997, part of the reason we did that in 1997 was to protect habitat for lobster, rock crab, and things like that.

Yes, it will help, but the big thing we're very concerned about right now is that if we're going to do marine protected areas, we don't want the displacement of fishers. If there's displacement of 10, 15, or 20 fishermen, they have to go someplace else to make a living. That's the number one thing on our radar right now.

There is an impact from the seals that are in the gulf and the strait right now, and nobody seems to want to address that.

**Mr. Fin Donnelly:** Okay. Thank you.

In my short time, I think I will move to ask Mr. Nickerson a question about the Fisheries Act.

Were you consulted on the Fisheries Act changes?

**Mr. Jordan Nickerson:** No, I was not.

**Mr. Fin Donnelly:** That's a pretty important piece of legislation, and you weren't consulted on that.

**Mr. Jordan Nickerson:** No. Again, we're a small business. For something like that, obviously you have to be up to date in your affairs, but again, being a small business, it's difficult to arrange that in your schedule. That requires people reaching out to us, not us reaching out to them.

**Mr. Fin Donnelly:** Absolutely.

You also mentioned, I think, that your company started in about 1988.

**Mr. Jordan Nickerson:** That's correct.

**Mr. Fin Donnelly:** The northern cod moratorium happened in 1992.

**Mr. Jordan Nickerson:** That's right.

**Mr. Fin Donnelly:** If we're not to protect areas, what would you recommend to avoid...? I think we could call the northern cod crash a disaster. It affected thousands of lives and families. How do we avert those sorts of disasters if we don't use protection?

**Mr. Jordan Nickerson:** Again, as I mentioned for our EA licence, we are the sole harvesters of the red crab. It's in my own best interests to protect myself. I could go out, take five vessels, and demolish the population in one year if I wanted to, which was already done 20 years ago with the red crab fishery. Over 20 years, now that the crab fishery has rebounded, I know that I have to make sustainable efforts in prolonging the fishery as long as I can. That takes stakeholders to identify what's important in the fishery—science and information.

• (1020)

**Mr. Fin Donnelly:** You're saying that there are certain methods and management techniques that are important for particular areas.

**Mr. Jordan Nickerson:** That's right. Each person, each stakeholder, has their own needs and their own reasons for protecting their fishery. You can't just quantify everybody together and say "this will fit everybody". It's not like that. It's a jigsaw puzzle.

**Mr. Fin Donnelly:** Do you see a role, though, for protected areas?

**Mr. Jordan Nickerson:** Absolutely.

**Mr. Fin Donnelly:** Okay. How much do you think is enough in terms of how the government has set these goals for Canada of 5% and 10% of their oceans?

**Mr. Jordan Nickerson:** Again, I can't comment on that. The only thing I can comment on is that for my competitor to the south of me, the Atlantic Red Crab Company out of New Bedford, Massachusetts, their fishing grounds were revoked from them. All of a sudden, he was out of business. Now they're in legislation to try to get back their fishing grounds. It looks like they will be successful.

**Mr. Fin Donnelly:** I was going to ask if our P.E.I. Fishermen's Association felt that the 5% and 10% targets were adequate.

Would you look at increasing those targets? Is there a point where there's too much protection?

**The Vice-Chair (Mr. Robert Sopuck):** I'll allow a short answer.

**Mr. Ian MacPherson:** I think the key is that we don't know the parameters of how they're assessed. Again, I'll go back to a point we made earlier. If conditions change within an MPA, is there going to be flexibility to relocate some of those zones for the best outcome for the fishery?

**The Vice-Chair (Mr. Robert Sopuck):** Thank you very much.

Ms. Jordan, you have seven minutes.

**Mrs. Bernadette Jordan:** Thank you, Mr. Chair. I hope to share my time with Mr. Finnigan.

First of all, before I go to questions, I would like to remind committee members that rules of the House apply to rules of committee, which means that you cannot acknowledge people in the balcony or gallery who are here just as observers. I would just like to put that on the record.

Mr. Nickerson, because you've had to move your fishery, the red crab fishery, have you been able to compensate? Is there another area where you're able to fish that produces the same type of fishery you had before the benthic area was addressed?

**Mr. Jordan Nickerson:** Again, at that time we looked at a 50% cut in our fishing area.

Since we spent the last summer moving around and doing more science, we've been able to find a bit more crab. We're finding crab in areas where, historically, there was never crab before. Of course, this one was not so bad. We were able to justify being able to keep fishing. What will come in the future is definitely the scariest part for us.

**Mrs. Bernadette Jordan:** Thank you.

Mr. LeBlanc, one of the things I've heard consistently throughout all of the studies that we've done is that there's a lack of trust between DFO and the industry. I'm just wondering how we address that. It seems like such a huge problem. It's something that nobody seems to want to tackle, yet it's something that you've talked about quite a bit. How do we work towards building that trust back between DFO and the fishing industry?

**Mr. Leonard LeBlanc:** I think we go back to experiences that were positive in the past and look at how they worked and how industry and DFO came together. There have been some positive plans that were put in place and real conversations that were had, not just consultations.

This process is managed out of the oceans branch of DFO. We're not really dealing with the same managers as we were when we were dealing with management plans. Maybe they could go back and discuss it with their peers, look at the successes and how they've been achieved, and learn from that, because the path they're on is going to fail, just like this one has in the Cape Breton Trough.

**Mrs. Bernadette Jordan:** Thank you.

I'm going to go back again to Mr. Nickerson.

As someone who comes from a community that relies extremely heavily on the fishery—it's not only in Woods Harbour where you are but all along the southern coast of Nova Scotia—do you see that there's a balance? You and I have had discussions about the importance of protecting areas. Is there a way for us to balance the needs of the industry and making sure that we maintain our way of life with making sure that we also protect our oceans?

• (1025)

**Mr. Jordan Nickerson:** I think there is a balance. Again, it takes a lot of negotiation, talking to the stakeholders, talking to the scientists and the government, and trying to find out what works best for each. Obviously, this is not a simple task. It takes years to figure out what's best. Science needs to be compiled and everyone's testimony needs to be heard.

Just because I own a red crab quota and another individual may own a quota for a tonne of groundfish, is their voice less important than mine? I think not. Everyone has an opinion. Everyone has a voice.

**Mrs. Bernadette Jordan:** Thank you.

I'll turn my time over to Mr. Finnigan.

**Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.):** Thank you, Mr. Chair, and thank you, panel, for being here today. I'm on the east coast of New Brunswick, so I can really appreciate what the conversation is about.

We've heard testimony here today that we're moving way too slowly on this, that Canada's lagging behind other countries, even behind the U.S., and then we've heard that maybe we're going a bit too fast.

Mr. Nickerson, you're certainly a well-educated man. You have your future ahead of you in that industry. You decided to come back to it, and I want to acknowledge that. I think it's noble of you to do that with your family and your community.

There must be a middle ground, especially if you have MPAs where the no-take policy might not apply, and where you can harvest a species and still protect it. Could you comment on that?

**Mr. Jordan Nickerson:** Again, our fishery is a non-destructive fishery. We fish with the pot fishery. For us, there are certain areas in which we can fish and target the red crab without endangering any other fish and with very limited bycatch. That's what I strive for as a business owner.

**The Vice-Chair (Mr. Robert Sopuck):** Thank you.

**Mr. Pat Finnigan:** Mr. MacPherson put up his hand. Will you allow—

**The Vice-Chair (Mr. Robert Sopuck):** Mr. MacPherson, go ahead.

**Mr. Ian MacPherson:** I have just a very quick comment, and it's to everyone in the room there.

I think one of the things we are really seeing is that there's a lack of science. For a variety of reasons, a lot of the science that was going on, either annually or every couple of years, has been lacking for a lot of major species. I think that's something that should be part of the discussion also, that we are just starting to get caught up on some science.

**Mr. Pat Finnigan:** I have a quick comment for Mr. LeBlanc.

I want to acknowledge the fact that you're working with indigenous communities. I think that's important going forward. I'm just curious. I think the interim report on the shared Atlantic leadership model, which defined a protected area, explicitly designed it to accommodate and support indigenous interests. What are your comments on that? Do you see that direction as being the right one, or do you still prefer the present model under which you share the resource?

**Mr. Leonard LeBlanc:** I don't think I'll challenge their constitutional right at any time. I think we understand where they have rights and we have privileges. I think we're willing to accept that fact. The participation we've had by first nations in our area has been excellent. They work with us. They come to our meetings. They vote with us. They make decisions, and whatever the outcomes are, they go on the same path we do. We've been very lucky in the sense of having first nations who have been willing partners to work with us.

**Mr. Pat Finnigan:** Unless anybody has a comment, I'm done.

**The Vice-Chair (Mr. Robert Sopuck):** I'm afraid time is up.

I would like to thank all of our witnesses, and also to acknowledge how difficult it is for people from the business community or practitioners in industry to take time from their busy schedules to attend these kinds of meetings. I think the feeling around the table from all of the parliamentarians is that we deeply appreciate not only your wisdom and character but also the sacrifice of your very important time to appear before us. Thank you very much. We look forward to seeing you at some time in the future.

With that, we will suspend the meeting for a few minutes and then we'll go in camera for committee business.

*[Proceedings continue in camera]*







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