



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Fisheries and Oceans

EVIDENCE

NUMBER 035

PUBLIC PART ONLY - PARTIE PUBLIQUE SEULEMENT

Tuesday, October 18, 2022

Chair: Mr. Ken McDonald



Standing Committee on Fisheries and Oceans

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• (1555)

[English]

The Chair (Mr. Ken McDonald (Avalon, Lib.)): Welcome to meeting number 35 of the House of Commons Standing Committee on Fisheries and Oceans.

This meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022.

Before we proceed, I would like to make a few comments for the benefit of witnesses and members. Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mike, and please mute yourself when you are not speaking. There is interpretation. For those on Zoom, you have the choice, at the bottom of your screen, of floor, English or French. For those in the room, you can use the earpiece and select the desired channel. Please address all comments through the chair. Finally, I remind everyone that taking screenshots or photos of your screen is not permitted. The proceedings will be made available via the House of Commons website.

Pursuant to Standing Order 108(2) and the motion adopted on January 20, 2022, the committee is resuming its study of the North Atlantic right whale. For the first hour and a half, we will hear from witnesses for this study. We will then use the last half-hour of the meeting for committee business in camera.

I would like to welcome our first panel of witnesses.

Representing the Fédération régionale acadienne des pêcheurs professionnels are Jean Lanteigne, director general; and Martin Noël, president of the Association des pêcheurs professionnels crabiers acadiens. Representing Fish, Food and Allied Workers-Unifor is Mr. Keith Sullivan, president. Finally, representing Grand Manan Fishermen's Association, is Bonnie Morse, project manager.

Thank you for taking the time to appear today. You will each have up to five minutes for an opening statement.

I will invite Mr. Lanteigne and Mr. Noël to begin.

When you're ready, please go ahead. You have five minutes or less.

[Translation]

Mrs. Caroline Desbiens (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, BQ): Mr. Chair, on a point of order.

I just want to make sure that all the technical checks have been made for the interpreters.

Has everyone done a sound check with their headset?

[English]

The Chair: To my knowledge, those were done before we got here. The clerk said it was okay to start. Obviously the sound checks have been done.

We'll continue now with the opening statement, as requested.

[Translation]

Mrs. Caroline Desbiens: Great.

Thank you.

Mr. Jean Lanteigne (Director General, Fédération régionale acadienne des pêcheurs professionnels): Mr. Chair, ladies and gentlemen of the committee, hello.

In order to make the most of my speaking time, I will just dive in straight away.

Since 2017, the presence of right whales in the gulf has been front and centre for all of the stakeholders [*Technical difficulty—Editor*].

[*Technical difficulty—Editor*] the Department of Fisheries and Oceans, the DFO, set a closure date of June 30. Before, it was July 15. The fishing season was thus shortened by 15 days. That meant that fishermen had to catch their quota as quickly as possible.

Mrs. Caroline Desbiens: Mr. Chair, I am sorry to interrupt the witness.

I would ask him to start over, because we did not hear the start of his presentation.

[English]

The Chair: Mr. Lanteigne, could you start from the top again? For a while it seemed as if you were muted or something was wrong with the mike. We weren't picking up any sound at all. Just so the members can hear your full statement, we'll start the timer again.

Thank you.

[Translation]

Mr. Jean Lanteigne: As I said, in order to make the most of my speaking time, I will just dive in straight away.

Since 2017, the presence of right whales in the gulf has been front and centre for all of the stakeholders who are in any way involved in the fishing industry in Atlantic Canada. The snow crab fishery is without a doubt the worst hit.

Today, I would like to call your attention to the issue of safety at sea.

Let me begin by reminding you that in 2018, the DFO set a closure date of June 30. The fishing season was thus shortened by 15 days. That meant that fishermen had to catch their quota as quickly as possible.

On top of this huge loss in terms of fishing time, we also have to maximize the number of days during which we can fish before the right whales arrive.

This forces the entire industry to work like mad in order to start fishing as quickly as possible in the spring. It becomes a risky business, and I will explain why.

Even though everyone is talking about climate change, winter in the Gulf of St. Lawrence remains a difficult and hazardous season. Since 2018, a lot of effort has gone into breaking up the ice in channels and ports as well as getting the fleets into the water, which costs a lot of money, requires tremendous effort and involves big risks. The Coast Guard, the fishing ports, the boat warehouses and all kinds of private businesses, including the processing plants, get to work so that fishing may start as quickly as possible. All this goes on in winter conditions.

This year, our fishing season started on April 13. It was a pretty good date, and you will no doubt agree with me when I say that in the end, Mother Nature is the one who decides when the fishing season starts.

Some people and organizations would like a fixed date, so that the fishermen who are able to get out to sea can do so. We are firmly against this approach. We have set up a committee on season openings, which includes all fishery stakeholders, such as the DFO, the Canadian Coast Guard and Environment Canada. We think that this is the best way to ensure a safe start to fishing for everyone. Otherwise, the risk of loss of life is much too high.

I will now turn over to the president of the Fédération régionale acadienne des pêcheurs professionnels.

Thank you.

Mr. Martin Noël (President, Association des pêcheurs professionnels crabiers acadiens, Fédération régionale acadienne des pêcheurs professionnels): Mr. Chair, members of the committee, thank you for inviting me to your meeting.

My name is Martin Noël. I am a snow crab fisherman from Shipagan, New Brunswick. I am a boat captain and the owner of a family business spanning three generations of fishermen.

New measures were imposed on the industry in 2018, such as the static closure of teeming fishing zones as well as a dynamic closure as soon as whales are spotted. The measures have evolved so that there are no more static closures. The dynamic closures are now temporary and seasonal.

Even though the industry has welcomed these changes, we believe that it is possible to fine-tune and improve them in order to reduce the impact on our fisheries, while still increasing the protection given to the right whales. We have already proposed that seasonal closures only start in June and that acoustic buoys be used to reopen closed zones.

For the third year now, traditional crabber associations in New Brunswick are testing on demand buoy technology, also known as ropeless fishing, out at sea. We are very proud of the progress that we have made. There is still room for improvement, but fishermen are getting on board more and more. Certain non-governmental organizations, or NGOs, are saying that we are world leaders in this field.

We are working closely with the Campobello whale rescue team to set up and train a disentanglement team for the gulf, which would rescue entangled whales. We are also involved in projects that aim to find lost or ghost fishing gear.

In terms of the requirement to modify fishing gear, including modifications effective as of January 2023, I have to say that we have concerns. The aim is to reduce the length and the severity of potential entanglements. Tests have been done at sea over the past few years which have allowed us to retain certain methods and reject others, but it is still not possible to determine which methods are the most efficient for achieving our goal.

Let's not forget that the solution has to be safe for our crew members and the work they do. If we are required to modify our equipment and that in turn reduces safety on board fishing vessels or increases the loss of pots at sea, which creates more ghost fishing gear, we are clearly off course and not meeting all the objectives.

Collaboration is key on this important issue. There has been unparalleled collaboration between NGOs, the Department of Fisheries and Oceans and the fishing industry. Progress would be impossible without this cooperation. The financial support given by the Government of Canada and New Brunswick is also crucial to enable us to adapt.

Thank you.

• (1600)

[English]

The Chair: Thank you.

We'll go to Mr. Sullivan for five minutes or less, please.

Mr. Keith Sullivan (President, Fish, Food and Allied Workers - Unifor): Thank you. I hope you're hearing me well.

On behalf of 13,000 members from Newfoundland and Labrador, thank you for the opportunity to speak to the members today.

The Fish, Food and Allied Workers union represents 10,000 professional fish harvesters in our province and many more workers in processing. The FFAW appreciates the need to protect endangered right whales. We have long been dedicated to sustainability and contribute to a wide variety of science and conservation, including ghost gear removal and work with SARA-listed species such as wolffish and turtles.

However, there's been practically no engagement from DFO with harvesters in Newfoundland and Labrador on this topic. In many ways, it's not surprising, because it's extremely uncommon to see these whales, and especially not overlapping with our snow crab and lobster fishing.

There's simply no evidence of entanglements in decades to merit encumbrances on Newfoundland and Labrador harvesters, which appear to be designed for other fisheries in other environments. Harvesters in Newfoundland and Labrador were upset to see the Seafood Watch red listing and their disregard for recognizing the differences in regional fisheries.

Wayne Ledwell, of the Whales Release and Strandings Group, was interviewed on September 20 for a CBC broadcast. He describes sightings of right whales as "sporadic" and remarked that he does not believe that Newfoundland and Labrador waters are the right habitat for the animals. Ledwell acknowledges that fishing gear in Newfoundland waters poses little risk of entanglement, specifically in fixed-gear fisheries such as snow crab, lobster and gillnet fisheries.

Snow crab from this province is certified by the world's most recognized seafood sustainability standard: the Marine Stewardship Council.

The value of lobster to harvesters in this province continues to grow. Over the last 10 years, the value of our lobster harvest increased from \$17 million to more than \$100 million annually.

FFAW members took on the work and cost to implement coloured rope schemes, despite the lack of right whales in their waters during fisheries.

DFO has not meaningfully engaged harvesters in Newfoundland and Labrador on these issues and refuses to acknowledge input from experienced, knowledgeable harvesters. In 2021, DFO held three virtual meetings in a feeble effort to consult with over 3,000 fishing enterprises that could be affected by this new policy. The meetings were two and a half hours long, with 40 minutes of discussion following a presentation by DFO, and they cannot be considered a method of proper stakeholder consultation.

FFAW raised the question with DFO of why B.C. or Nunavut do not have to implement this if they also have endangered species in their waters. DFO's response was that there's no proof of gear entanglements of the endangered species in these waters. Ultimately, what is being proposed as a solution to a problem that doesn't really exist in Newfoundland and Labrador is deeply flawed.

First, it is significantly more likely to lead to increased entanglements of other marine mammals that are prevalent in our waters, due to more vertical lines through the water column. Fisheries around Newfoundland and Labrador use gear in long fleets, thus

minimizing the vertical lines in the water. For example, a harvester may have 70 snow crab traps in a fleet that has only two vertical lines. Clearly, moving to 20 vertical lines for the same gear is a move in the wrong direction for preventing entanglements.

Second, it will cause significant environmental disaster for ghost gear, because it is not possible to harvest in the depths of water with this weakened rope. Ghost gear is difficult to remove, and preventing it must be the priority. More ghost gear will further increase the likelihood of entangling marine mammals and other species. This directly conflicts with DFO's ghost gear fund goals. Since its launch in 2019, government has invested \$16.7 million in the program and, as a participant, FFAW has removed 16 tonnes of ghost gear from our waters. The very purpose of the program is to retrieve abandoned, lost and discarded fishing gear and encourage marine sustainability.

Third, there are serious safety concerns due to lack of practical testing in our marine environment. DFO has provided no evidence that this gear is safe or effective for the fishery. They have provided no evidence that the gear has been fully tested and would hold up to North Atlantic tides, ice conditions and the heavy strains in deep water. In the absence of this evidence to show that gear can withstand these conditions, we can confidently say that a large amount of gear and rope will be deposited right back into the ocean.

● (1605)

Harvesters in Newfoundland and Labrador are supportive of protecting whales, but can't support changes in management that are likely to do the exact opposite, including causing significant amounts of ghost gear, increasing cost to harvesters and their families, and creating safety concerns in an already extremely dangerous work environment.

Thank you. I look forward to the questions and conversation.

The Chair: Thank you, Mr. Sullivan.

We will now go to Ms. Morse for five minutes or less, please.

Ms. Bonnie Morse (Project Manager, Grand Manan Fishermen's Association): Good afternoon, and thank you for the opportunity to present today.

The Grand Manan Fishermen's Association represents independent owner-operator fishermen on Grand Manan and White Head Island in the Bay of Fundy. Our approximately 200 members fish lobster, scallop, groundfish and herring. The landed value of these fisheries averages over \$75 million annually, and it is a major employer for our isolated community of 2,600 people.

Charlotte County as a whole represents 30% of the provincial landings in New Brunswick, and one in five jobs in this county are in the seafood sector. There were just over 400 fishing companies in the county in the 2016 census, and almost half of those were based on Grand Manan and White Head Island.

For generations our fishermen have been coexisting with North Atlantic right whales. We have worked collaboratively with researchers with and without government involvement to do the right thing. Fishermen understand that right whales and all marine mammals have a place in the ecosystem, and a healthy ecosystem ensures their longevity as much as it does that of the animals that live there. We have taken measures that have provided real protection but haven't always been quantifiable in a government report. Fishermen believed in the process and actively engaged and participated.

Our biggest asset is the timing of our lobster fishery. Our lobster season opens next month in November, and it runs until the end of June. The recovery strategy for North Atlantic right whales states that the Grand Manan Basin is critical habitat, but only in late summer and early fall so if there is any overlap it's relatively minimal.

In 2018, the Department of Fisheries and Oceans arbitrarily closed a portion of our lobster district after a single sighting of a single right whale in June. Local fishermen and scientists have long understood that a single sighting early in spring does not necessarily herald the arrival of right whales into the bay. With rare exceptions, a single right whale will arrive in the bay seeming to scout for food. Unless there is feed, it quickly moves on. We believe that 10-day closure cost our community over a million dollars in landings.

While there is a monetary cost, there was also a social cost. There is now reluctance by fishermen to report any sighting of any whale for fear of the repercussions.

After the closure, the GMFA submitted a pilot project to the department that essentially had a sliding scale of measures based on risk. Those measures reduced end lines, rope at the surface of the water, and included a section of weaker rope in the end lines. A single sighting of a single whale would result in measures to reduce rope, but would still allow continued fishing. Subsequent sightings would mean additional measures. This project was used once since 2018 when a right whale was seen the week before our season, which only highlights how rarely our season overlaps with right whales' presence. Despite that, this pilot project was cancelled this winter because it was inconsistent with other measures.

Heading into this season we are faced with the uncertainty of potential closures. We are concerned because there is not scientific evidence to support a 15-day closure based on a single sighting. The impact of a closure, particularly in the fall, can be devastating. Lost fishing days cannot be recuperated as weather deteriorates and lobster movements reduce during colder weather. We know that during that time right whales are heading south and do not stay in the Bay of Fundy.

We estimate that well over half of our landings happen in the first few weeks of the season. Not fishing because there was a single sighting of a transiting right whale is unbearable. Not fishing

when there are no right whales because of an arbitrary measure is unacceptable. The economic hardship of these arbitrary measures are being borne by individuals and rural coastal communities like mine.

Our membership is disenfranchised with the process mainly because, despite having an abundance of right whales in the Bay of Fundy up until the past decade, there has never been a known entanglement of a right whale in LFA 38 lobster gear.

The plight of North Atlantic right whales is a real problem that needs real solutions, not only those that are easy to communicate. There is a vast difference in fisheries across Atlantic Canada. It is highly improbable that there is going to be any one cookie-cutter approach that will work for everyone. Solutions will only be found if there is a willingness to listen.

Thank you.

• (1610)

The Chair: Thank you for that.

We'll now go to our rounds of questioning.

I will remind members to direct their questions to whomever they want to answer them. It will make it easier and your time will be better used.

We'll first go to Mr. Perkins for six minutes or less, please.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Thank you, Mr. Chair.

My first question would be for Mr. Sullivan and Ms. Morse.

In our first meeting for the study that Mr. Cormier proposed, officials were asked about how many entanglements over the last five years with lobster and crab gear were recorded in Canadian waters. The response was that there was only one in crab gear and that the largest category for causes of death of right whales in the waters—particularly in the two-year period where there were 12 deaths—was undetermined by the necropsies. The whales were too decomposed.

I'll start with Mr. Sullivan first.

You say that you don't see right whales that much during fishing season. As a result, I suspect also you've been dealing with fishermen who have been experimenting with the weak rope—the breakable rope. Can you share with me what the results of that are, from your experience with the fishermen who have been testing that gear?

Mr. Keith Sullivan: I'll start off by saying that the conversation and consultation with those in Newfoundland and Labrador has been minimal. This was a real active problem for those fishing in other areas previously, certainly in the Bay of Fundy and the Gulf of St. Lawrence. We hadn't had these sightings.

I don't really believe the effort has been done by DFO to engage in Newfoundland and Labrador. It was obvious that weak rope in some of our fisheries was completely asinine and unsafe. It was clearly not an option and it would lead to more problems. There was huge reluctance to engage in some of this work. There was no engagement by DFO to really solve the problem.

The information I have on initial testing, particularly around crab gear—which I suppose we would be more concerned about due to water depths—is that it has predictably not worked very well, generally speaking. I would say that, in the deeper waters of Newfoundland and Labrador, we can expect that to be probably worse than most of the areas that have been tested.

I'll leave it there and give the time to others.

• (1615)

The Chair: I have to interrupt you, Mr. Perkins. I know you're not here in the room, but the lights are flashing and a vote has been called.

I would ask the committee if we have permission to continue. When there's between five and 10 minutes left, if we're all in agreement, we'll use our devices to vote instead of leaving the room.

We'll continue on for another 15 or so minutes with the testimony. I'll stop it when I think we need that much time to sign in and get our faces identified on our cameras.

Continue, Mr. Perkins, please.

Mr. Rick Perkins: Thank you.

The experience of lobster fishermen that I spoke with in LFA 34 who were testing the weak rope gear in the summer, which is of course not when we fish in LFA 34—it's in the winter—was that almost all of it broke when hauling traps. It caused a lot of ghost gear and doesn't actually work that well, let alone in difficult winter situations.

Monsieur Lanteigne and Monsieur Noël, you spoke of your experience where you seemed to say it worked.

Can you speak to that or have you been mainly experimenting with the ropeless gear? If that's the case, what is the cost of that gear?

[*Translation*]

Mr. Martin Noël: Thank you for your question.

I'll talk a bit about the buoyless ropeless fishing gear we've been testing for three years.

It's a new acoustics-based technology, so obviously there's a cost attached to it. Each unit costs roughly \$5,000. The harvesters who did the testing had five units, so the total cost was around \$25,000.

Traps were attached to the unit to catch the crab. To reduce costs, we went from fishing with a single trap, or pot, to fishing with a number of pots connected to a unit. We were able to gain some experience that way, go through the learning curve and come up with a new harvesting method. It obviously costs a whole lot more than harvesting the traditional way, but it gives us the ability to fish in

areas that would otherwise be off limits for the protection of right whales.

[*English*]

Mr. Rick Perkins: Thank you.

Perhaps I could ask one quick follow-up. I believe before the 2018 changes were made in the gulf, the crab fishery was starting in May, I think. One of the government policies was to allow you to start the season earlier and send boats out into icier waters. There was a commitment made by DFO at the time that the Coast Guard would always be present.

To my understanding, in the last couple of years the Coast Guard hasn't actually always been present when the crab season has been launched in the gulf during a very icy season. Is that correct?

Mr. Jean Lanteigne: What went on before 2018 was that the Coast Guard was always there with icebreakers to free up ports, mainly, to make the fishery zone accessible. With the fact of the presence of right whales, you try to fish as early as possible, before the right whales arrive, placing extra pressure—a lot of pressure, actually—on everybody in the industry. That starts with the Coast Guard trying to clear off the channels to make sure the fishing territory becomes accessible.

I would say there's a difference between having protection on the water and having the channel cleared. The Coast Guard, as you know, has some equipment in different locations within the gulf to make sure that we have a safe fishery. It is possible that, in some fishing seasons, it did arrive that the Coast Guard was not necessarily available at each location, but I would add that, with this opening committee that we have, everybody's at the table. I can assure you that every effort is made by everybody, especially DFO and the Coast Guard, to make sure that we have a safe fishery.

That's why we say that we want to meet with that committee—

• (1620)

The Chair: Thank you, Mr. Lanteigne. The time has gone way over on the allotted time for Mr. Perkins.

We'll now go to Mr. Cormier for six minutes or less, please.

[*Translation*]

Mr. Serge Cormier (Acadie—Bathurst, Lib.): Thank you.

I want to start by commending all of you on the tremendous efforts you have been making since 2017 to protect right whales. Despite what some environmental groups may say, you have set the standard, and I think you should be recognized internationally for your efforts.

I'll start with Mr. Lanteigne and Mr. Noël. I want to talk safety, and I'm going to follow up on what Mr. Perkins said.

Over the past five years, perhaps more so during the last two, my fellow members have noticed that the Gulf of St. Lawrence was closed almost the entire season starting at the end of May, or just before, because right whales were in the area. DFO reported that over 90% of the quota had still been caught. You brought up security, and that plays a very important role in all this.

First, do you think dynamic fishery closures work?

Second, what changes can be made to dynamic closures to provide greater access to certain areas and ensure that safety is the top priority? We of course want to save right whales, but as we know, moving traps can cause incidents, as we saw this year.

What changes would you recommend to dynamic closure management without affecting the market? As we've seen, changes have been made over the past five years.

What do you recommend?

Mr. Martin Noël: As I mentioned earlier, we think it's possible to change and improve the closure measures.

Two types of dynamic closures exist. When a right whale is spotted, a temporary closure is put in place. If another right whale is spotted on day nine or 15 of the closure, the fishery is closed for the season.

Although that approach protects right whales, it's problematic. In May, when the whales arrive in the Gulf of St. Lawrence, they are transiting, heading for areas where they can feed. The approach being used, however, doesn't take that into account. An area is automatically closed as soon as a right whale is spotted, but since the whale is transiting, it may no longer be in the area the next day. Regardless, the area has been closed for the season, so until the end of the season, right up to November. As a result, areas where the fishing is good are off limits to harvesters, despite the fact that right whales are no longer present.

In our view, the approach can be adjusted to take that into account.

Mr. Serge Cormier: Mr. Noël, as you know, aircraft and buoys are used to detect right whales. If sonobuoys detect right whales within a 40-kilometre radius, say, the area is closed. Those same tools, buoys and aircraft, could be used to monitor the whales and determine whether the area should remain closed or be reopened.

Do you see that as an option?

Mr. Martin Noël: I completely agree with that.

We are well aware that sonobuoys and visual surveillance using aircraft aren't perfect tools. The reopening of an area requires two surveillance flights during the period. Sometimes the weather prevents aircraft from taking off, but the buoy is still there. If it doesn't detect right whales, that should mean there aren't any in the area. A buoy provides information that can be used to close an area, but not to reopen it. I think that should change.

Mr. Serge Cormier: Would you be in favour of relying on that technology more to support closures and reopenings?

The technology could also show that the number of whales in the area had gone up, detecting two or three, instead of one. That

would provide a bit more flexibility without impeding whale protection.

What do you think?

• (1625)

Mr. Martin Noël: As I said, a transiting whale should not automatically trigger a season-long closure of certain grids. It should depend on the presence of an aggregation of whales, in other words, a number of whales socializing or feeding in a specific area.

I think that would result in seasonal closures that were more reasonable and more relevant to whale protection.

Mr. Serge Cormier: Mr. Lanteigne, I'm going to come back to the icebreaker issue, if I have time.

Do you think fishing area 12 should open to all harvesters at the same time, whether in Quebec, New Brunswick or Nova Scotia?

If not, what would that do to the opening of the fishery?

Mr. Jean Lanteigne: It is very clear to us that the season should open at the same time for everyone. Otherwise, some harvesters have an advantage over others. Fishing area 12 is a large area, and it may seem huge to someone who isn't familiar with the area. Where are the crab concentrated? Where is the resource concentrated? That's something completely different. Every harvester knows those areas and those fishing grounds.

A decision to open the season at different times could start a war between harvesters, and that wouldn't be good. Furthermore, opening the fishery on a set date could put lives at risk. Harvesters will want to start the season and go out fishing even if it's not safe.

Mr. Serge Cormier: I have one more quick question, if there's time, Mr. Chair.

[*English*]

The Chair: Thank you, Mr. Cormier. Unfortunately, your time is up

We'll now go to Madame Desbiens for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Mr. Cormier, you can have half my time.

Mr. Serge Cormier: Would you like to go first, or shall I?

Mrs. Caroline Desbiens: You can carry on, if it's all right with the chair.

Mr. Serge Cormier: Thank you, Mrs. Desbiens.

It's very kind of you. I wasn't expecting that.

I'll continue where I left off, Mr. Lanteigne.

Harvesters want the season to open sooner. Mr. Perkins mentioned this. The Canadian Coast Guard has had a presence since 2017. Huge efforts were made on the icebreaking front, and that makes me proud. Some problems still arose, though. At the last minute, the requests for proposals weren't put out. Some Coast Guard vessels are too big to fit into our channels. Quebec's Ocean Group also did a lot to help. Unfortunately, either because of the season or because of the cold, the ice is thicker in certain spots, and you never know when the air cushion vehicle will be available.

Everyone is doing everything they can, but don't you think it's time for the region to have its own equipment, its own small icebreaker—something I've been advocating for years? We could use it to free up channels, particularly in New Brunswick. The ice tends to melt faster in Quebec, Nova Scotia, Prince Edward Island and even Newfoundland and Labrador.

Do you think having that additional tool could make it possible to open the season sooner? Everyone could start harvesting, while protecting right whales. We would have the tools we needed.

Mr. Jean Lanteigne: Yes, I completely agree with you on that.

That's an idea we would happily support anytime. We are at the Canadian Coast Guard's mercy, because we're the lowest priority. Clearly, the Coast Guard's purpose is first and foremost to protect people, so the fishery comes second. In many cases, that's really the problem and the season gets delayed. The ice could be broken up sooner, but it's not because work is being done elsewhere. The Canadian government should explore that approach and consider equipping our fishing harbours with that capability.

Mr. Serge Cormier: This is not meant as an attack on the other provinces. I'm just trying to find ways to open the season as early as possible in all provinces. Otherwise, my fear is that fishers will move to areas where the season starts sooner, and that could seriously hurt the economies of all coastal communities. As you pointed out, it would create chaos in the industry, because of the landings for one. I don't like to think about it.

Thank you, Mrs. Desbiens. You can have the floor back.

• (1630)

Mrs. Caroline Desbiens: Thank you, Mr. Cormier.

Mr. Noël, I was fascinated by what you said about sonobuoys and the fact that, on the basis of that information, an area could be closed, but not reopened.

Do you know whether any scientific research is being done in terms of modernizing the technology, so that the information can be used to support an area's reopening?

Mr. Martin Noël: Thank you for your question.

Yes, research is under way, but the findings haven't been released yet. The idea is to deploy a number of sonobuoys to determine the location of the whales through triangulation. That information will tell us where the closure should be put in place. If the whales are in

another area, the area where they are no longer present could be reopened.

Advancements are being made and research is under way, but it's a lengthy process. Acoustic technology has been around for a while, but no significant progress has been made. The needs are what is driving that work, and the potential is certainly there.

I think the Government of Canada should encourage that work, which could help fishers choose appropriate fishing grounds.

Mrs. Caroline Desbiens: Are things advancing slowly because of a lack of funding, or does it take time to develop the technology?

I've heard fishers comment that we put the first man on the moon 60 years ago, but we aren't even able to track a right whale.

Mr. Martin Noël: That's something we hear a lot.

All research comes down to funding. In my opening remarks, I thanked the Government of Canada and the Government of New Brunswick for supporting our work. Without their financial help, we wouldn't be able to make advancements in any area of research.

Allocating more money to research is paramount. That would certainly provide some momentum and help speed up development.

Mrs. Caroline Desbiens: Thank you.

[English]

The Chair: Thank you for that.

We'll now go to Ms. Barron for six minutes or less, please.

Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP): Thank you, Chair.

Thank you to the witnesses who are here today. My first questions are for Mr. Sullivan.

Mr. Sullivan, in your testimony today you spoke about the lack of meaningful consultation that occurred between DFO and harvesters in Newfoundland and Labrador, and a refusal to acknowledge input from experienced knowledgeable harvesters.

Could you expand and share a bit more around proper consultation? What are you hearing from other fishers and harvesters, and, of course, what would that proper consultation look like?

Mr. Keith Sullivan: Thank you very much for the question.

As I said before, I think the evolution of this problem is different in Newfoundland and Labrador. It wouldn't be something that anyone had a high level of awareness about. When this was first pitched, I guess, it seemed like a cookie-cutter solution for fish harvesters here, but we said that option was just not realistic. It couldn't work. It's not necessarily about testing weak rope or weak links. It's physics, and harvesters knew very clearly that 1,700 pounds was way too little for the gear we were using. The gear that we're using is very good at avoiding marine mammals.

There was absolutely no engagement or interest from the Department of Fisheries and Oceans to find other ways and to work with harvesters in local areas to solve these problems. It was a solution that would perhaps work somewhere else, or it came from Ottawa. They said, "Here you go. Please adapt, no matter what and no matter if it's realistic or not." I once described it as them saying, "Well, you should just test it out first", and me thinking, "Yes, give me a cardboard box and say 'Go to the moon'". You say it's not possible, but then you hear, "Try it first, anyway. Try it first." It wasn't a reasonable approach.

I think the way we fish, with very few vertical lines already in the water for these, like I said, fleets of crab gear, which seem to be the primary concern.... We can look at ways to make that the norm. Doing some of the other things that DFO was suggesting will compound the problems, with more entanglement of marine mammals.

I referenced a whale man who dedicated his life to the rescue and conservation of whales, perhaps more than anyone else in Newfoundland and Labrador. When someone in that position highlights the problems with DFO's approach and says—I'm going to paraphrase—this is absurd, I think we have a problem with the approach. It's time to start listening to experts like Mr. Ledwell and, I would say, the harvesters.

• (1635)

Ms. Lisa Marie Barron: Building on some of the comments you just made, you mentioned how the proposed solutions that are being put forward are significantly more likely to lead to increased entanglements. I'm not a fisher, so perhaps you can explain a bit more about how the proposed solutions are resulting in the example you used of 20 vertical lines for the same gear, rather than two.

Could you explain a bit more what that looks like and how it would increase the number of lines?

Mr. Keith Sullivan: The way we fish now, to give an example, is that a harvester would fish 70 different traps in a line, with two vertical ropes on the end. If you're forced to put on these weak ropes and ropes with breaking strength, you would have to say that you'll have seven traps in a line, which won't actually fish very well because the gear is too light. You'd have to add safety risks. What that would mean is that you'd have 20 vertical lines in the water. If you don't do that, you'll bust off this gear. You'll have all kinds of ghost gear, tangles of rope and gear on the bottom, ghost fishing. It's also more likely to entangle marine mammals.

In our waters, there's not likely going to be right whales, but probably other marine mammals or other species that we want to protect as well. This ecosystem approach and dealing with people with practical solutions is what we need. It's not implementing solutions that are going to cause us way more problems, including

hurting other species—including whales—and, certainly, causing safety issues for harvesters.

Ms. Lisa Marie Barron: You also spoke about the 16 tonnes of ghost gear that have been retrieved by FFAW from the waters in the past two years. That's an incredible amount of ghost gear that's been retrieved.

I wanted to offer you an opportunity to speak to that a bit further. What does that look like, and how do you continue the retrieval of that ghost gear with the systems and processes that are being used by fishers and harvesters?

Mr. Keith Sullivan: Harvesters definitely gave the program a lot of credit when the federal government came out with it. People wanted to see some of this ghost gear retrieved. As I said, it is very difficult to retrieve this gear. It takes time and it's tough work. You have messes of gear on the bottom.

We hope to continue that work, but, at the same time, the best thing we can do about ghost gear is not retrieving it but preventing it from going in the water and laying on the bottom. That's why it's so frustrating. It seems so senseless that we can't have engagement on how to avoid that. It seems like that's been the threat. The fish harvesters really want to avoid that, for obvious reasons, but we're going to implement something that is going to guarantee our having more ghost gear on the bottom.

There isn't a budget big enough to collect all that gear in some of these harsh environments. I will say that a lot of this gear is collected closer to shore and in shallower water depths as well. It's tough to retrieve this gear. Prevention has to be the number one priority when it comes to ghost gear in our waters.

• (1640)

The Chair: That concludes your six minutes.

I know we have almost four minutes left before the vote starts the 10-minute countdown. With the permission of the committee, we can go for another five-minute question, then take a break and recess a bit, and then do the actual voting. If everyone can let me know when everybody has it done, we'll come back right away.

Mr. Arnold, you have five minutes or less.

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

Thank you, witnesses.

I'll start by thanking everyone for doing what they can to protect the right whales. I want to start off with questions for Ms. Morse and Mr. Noël regarding overflights and acoustic listening devices.

Has anybody provided you with information as to the cost differences, or the costs of these flights? It seems to me that the cost of flights, and of manning those flights, would be far greater than more acoustic listening devices. Can you provide any information on that, Ms. Morse?

Ms. Bonnie Morse: Thank you for the question.

I don't have any information on what the costs of flights are. I will say that, in the Bay of Fundy, because we have such active tidal waters, acoustic devices aren't functional here. The only way to do monitoring in the Bay of Fundy is through flights.

[*Translation*]

Mr. Martin Noël: Thank you for your question.

When it comes to the many flights conducted by DFO and the conservation and environmental protection people, I don't have the cost information at hand either. No doubt, there's a significant difference in cost between the use of sonobuoys and the use of aircraft surveillance. Each has its pros and cons.

Aircraft surveillance can identify the exact location of a whale, so it's possible to better define the area that should be closed off to fishers. Sonobuoys can detect a whale at a farther distance, but they don't tell us where the whale is in relation to the buoy, so that's a drawback.

In short, flights do cost considerably more, but they can detect right whales and identify their location with much greater precision.

[*English*]

Mr. Mel Arnold: That's a good segue to my next question.

On the west coast, individual killer whales can be identified by individual markings, making it a little easier, perhaps, to track their movements and direction of movement. Is that a possible way to identify right whales, or are they more difficult to identify individually?

[*Translation*]

Mr. Martin Noël: Thank you for your question.

Right whales have distinct markings on their heads called callosities, so they can be identified individually once they have reached adulthood. Calves don't yet have those markings. Entanglement markings and scarring also help to identify right whales quite easily and quickly.

It's not always easy to recognize those signs from the air, but right whales definitely have distinct markings that help to identify them.

[*English*]

Mr. Mel Arnold: It sounds as though it's difficult to track each individual whale.

I want to switch over to Mr. Sullivan now, if I can.

Mr. Sullivan, what gear or management options would be suggested by your organization or proposed in Newfoundland and Labrador? You're saying the DFO proposals aren't workable. Do you have any ideas or proposals that your organization or harvesters would put forward?

Mr. Keith Sullivan: First of all, absolutely we'll encourage the continued monitoring of the right whales there, and we would be subject to closures, for example, when you see a number of whales. Those would be some things that would be considered, but in the meantime, I think you can do it with management so there are fewer opportunities for entanglements there.

As well, I think gear configurations in crab are something that can be looked at—fishing and reducing the number of these vertical lines in the water. That is a very workable, sensible solution as opposed to increasing the numbers there. That's exactly what those who have dealt with marine mammal entanglements in the areas before would suggest would make sense as well.

Right now you see that weak rope, for example, might be something that could help disentangle a whale. Again, it's like the ghost gear. It's better to prevent a whale from getting entangled as opposed to putting more rope in the water and having more entanglements and hoping to get them out of the rope and the fishing gear. I think there are certainly a couple of things we can do, and we can learn more from our counterparts in the other parts of the gulf and the Bay of Fundy and other areas that have dealt with them for longer.

Mr. Noël spoke about some of this “on demand” gear. I think it will take time when you talk about \$5,000 per piece of equipment. Obviously that's a difficult transition for people, but I believe that once we get more trials, testing and confidence in it, it may be a part of the solution.

• (1645)

The Chair: Thank you, Mr. Arnold.

I think we'll take a quick recess now to allow members to vote. We'll ask for the witnesses to be patient for a few minutes until we get this process done. We'll be right back very shortly.

• (1645)

(Pause)

• (1650)

The Chair: We will now go to Mr. Cormier for five minutes or less.

Go ahead, please.

[*Translation*]

Mr. Serge Cormier: I want to follow up on the icebreaking issue. I have to say how proud I am of our government's efforts on that front over the past few years. As I mentioned earlier, unnecessary bureaucracy and red tape sometimes get in the way. We know we need ships, but the requests for proposals still haven't been put out. We need to get past those hurdles and acquire the tools we need.

My question is for Mr. Lanteigne and Mr. Noël.

Mr. Sullivan said that discussions on the weak rope requirement would be taking place in 2023. Where do you stand on the issue? Where are you in your talks with DFO?

People have serious concerns about the weak rope. They think it will be harmful and won't help protect right whales.

Mr. Martin Noël: Thank you for your question.

I said earlier that we had concerns about weak rope and links. Those discussions with the department will continue in November and December.

The gear requirement will come into force in January. That's pretty soon considering we still don't have a solution. My fear is that it will result in a whole lot more ghost gear in the sea, and that will put right whales at greater risk even when fishers aren't fishing. Ghost gear is there forever, so it means more gear to recover.

I would say we still have work to do. We've done trials, but we are still in the initial phase. We still have a phase or two to go before we can say that the new technology can be used successfully.

Mr. Serge Cormier: Do you think it would be better to wait a bit, since you don't know whether the rope will be strong enough?

Mr. Martin Noël: I think the responsible and reasonable thing to do is to give fishers a bit more flexibility and carry out sea trials on a broader scale. That way, we could really measure the effects of the rope.

As you are well aware, Mr. Cormier, our crabbers are large vessels with heavy equipment.

A rope with 1,700 pounds of breaking strength isn't a strong rope, and we're pretty close to that number.

It's clear, in my view, that if the measure is introduced this year, given existing equipment, it won't be good.

I can't get that gear at my local store. It makes no sense to apply the requirement in January, as far as I'm concerned.

Mr. Serge Cormier: Mr. Lanteigne, dynamic closure measures were discussed earlier, among other things. Do you think there is still flexibility to improve those measures without impacting American markets or the international market?

Do you think there is still room for more flexible measures? This would keep fishers safe and reduce the chaos from the beginning to the end of the fishing season. It would slow down the plants processing crab, but it would give all the plants and our communities some breathing room.

Can we do better for people in the industry? We need to maintain our markets and make sure that the U.S. recognizes that our measures are perfectly adequate. What they are doing in the U.S. is adequate, but what we are doing could be more adequate.

What do you think?

• (1655)

Mr. Jean Lanteigne: I think there is definitely room for improvement.

The nine quadrants that are being closed are huge areas; they are large spaces. We have already proposed to the department measures to shrink these areas, as well as to expand the fishing grounds in a way that is safe for the whale. That was rejected. We are confident that this is the preferred approach.

The more fishing is concentrated outside of closed areas, the greater the risk of a whale becoming entangled in the gear, given the high concentration of gear. Also, it is more dangerous for fishermen because they have to move traps quickly before going into areas where they are not sure fishing is possible.

It is imperative that we continue to refine the closure measures for these areas. They need to be closed for shorter periods of time and they need to be smaller. This is for the benefit of the whales that are on the move.

As stated earlier, the acoustic buoy makes it possible to close a zone, but only visual observation makes it possible to reopen a zone. This mode of operation needs to be reviewed.

Mr. Serge Cormier: That's great.

Mr. Sullivan—

[*English*]

The Chair: I'm sorry, Mr. Cormier. Your time is up.

We'll now go to Madame Desbiens for two and a half minutes, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

I won't take two and a half minutes, as I have less time now, but I'm still going to continue by addressing Mr. Lanteigne.

Mr. Lanteigne, you talked earlier about an opening committee, saying that would be a very good way to proceed. Mr. Noël was saying that implementing the various solutions proposed by DFO by January 2023 was not feasible. Could this opening committee then be an alternative, short-term solution to ask for a longer deadline, and could it be implemented quickly?

Also, would it be feasible to add to the committee someone who represents the U.S. market?

Mr. Jean Lanteigne: Ms. Desbiens, the committee is in place.

Mrs. Caroline Desbiens: It's in place, okay.

Mr. Jean Lanteigne: It has been operating for a number of years. Let me explain what it does. First, it finds the ideal date when the fishing area is ice-free, and second, it looks at whether it's possible to open the fishery safely. Everyone is at the table right now: fishers' associations, processors, Fisheries and Oceans Canada, as I said earlier, the Canadian Coast Guard, Environment Canada, since we know you can't open the fishery in a stormy period, as well as first nations.

The date fluctuates from year to year, depending on weather conditions, primarily, and ice conditions. However, some associations or provinces want a date set for the opening of the crab fishery without considering the other conditions I just listed. For us, this does not make sense. It's too dangerous.

Mrs. Caroline Desbiens: It reminds me a lot of the capelin fishery debate that came up not too long ago.

Mr. Jean Lanteigne: I think you are very familiar with this issue. I've seen you debate it.

Mrs. Caroline Desbiens: I will ask you a second question.

In order to improve our credibility in the U.S. market when it comes to the environment, are there any plans to include an American on the committee?

If not, can someone who represents the U.S. market have access to or work with the committee?

Mr. Jean Lanteigne: The Americans are not on the committee. We have to remember that we are still talking about a resource that belongs to Canadians. I think we have to exercise our power and we do it well in this regard.

However, I can tell you that the Americans are watching our work very closely. They watch a lot of everything we do, including on this front. I think they are enormously appreciative of our efforts to open the fishery as early as possible to avoid fishing while right whales are present. They are very closely following our efforts to do that for two reasons.

First, Americans want to know exactly when they can expect to receive fresh product that they can place on their fish shelves.

Second, they want to make sure we minimize the impact on the right whale as much as possible.

• (1700)

[*English*]

The Chair: Thank you, Madame Desbiens.

We'll now go to Ms. Barron to end off this portion, for two and a half minutes.

Ms. Lisa Marie Barron: Thank you, Chair.

My question is for Ms. Morse.

Ms. Morse, you spoke about the socio-economic impacts on communities as a result of the closures. This is something that I wanted to hear from you a bit more. What were you hearing from community members regarding the impacts? What are your thoughts around how we move forward in conservation efforts and protecting the North Atlantic right whale, while also ensuring we are considering the socio-economic impacts on communities?

Ms. Bonnie Morse: Obviously, living on an island, we're very isolated, and our economy is completely dependent on the sea, whether it is for the fishing or the aquaculture industry. Lobster is a primary fishery that we have, so anything that happens to that has a huge impact on the island as a whole.

For us, one of the big things is coming into the beginning of the season, because our season starts in November. It is when right whales are leaving Canadian waters, so you wouldn't tend to see them coming into the Bay of Fundy and lingering in the area and looking for food. If they do, it's very much a transitory trip through the Bay of Fundy, so some of the things that my colleagues have talked about concerning a single whale's transiting shutting down large pieces of the fishery for an extended period of time when, really, the whales aren't there anymore.... We need to look at the duration of the closures and maybe multiple sightings of whales if we are going to have a longer-term closure such as that.

We also have to look at some of the risk factors when we are looking at some of the measures, like Mr. Sullivan has talked about. If you have an area where the fishery takes place where there's very little or no overlap with right whale presence, maybe we don't need to focus as much on the measures in those places but work more collaboratively with fish harvesters, whom I think do have different solutions. However, what works in the Bay of Fundy with our tides probably isn't going to work in the Gulf of St. Lawrence any more than what works in the Gulf of St. Lawrence is going to work in Newfoundland.

We have to move away from having a unilateral approach that will work Atlantic Canada-wide and really look at specific areas to see how the fishery operates there, what can be done in those areas and, really, what needs to be done.

The Chair: Thank you, Ms. Barron.

I'm going to break the rules a little bit because Mr. Small is such a nice guy. I'm going to allow him one question.

Be quick.

Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC): Thank you, Mr. Chair.

My question is for Monsieur Noël.

I know that, in Newfoundland and Labrador, crab fishing is carried out, as Mr. Sullivan stated earlier, with 70 pots in a string with two haul-ups. In your area in the gulf there, are you fishing with pots on strings, or are you using a single pot with each pot on a vertical rope?

If so, do you think that switching to Japanese-style crab pots, such as we use in Newfoundland and Labrador, would reduce the chances of right whales' being entangled in vertical lines or haul-ups? Don't you think that would very positively impact what we're trying to do here?

[Translation]

Mr. Martin Noël: Thank you for the question.

In the Gulf of St. Lawrence, we fish with trapnets, a buoy, a rope and a trap. These are singles, to use the term used in Newfoundland.

Given the density of traps in the same zones, using Japanese traps in line or a trawl would cause a lot of overlap between fishing gear. This would make fishing more difficult and less safe for our fishers.

Some people have already done this in our region, but it is a little difficult. I've talked to fishers in Newfoundland who are doing what you say. They fish with trawls of 70 traps in a row. It's a little bit of a different world because trap density in the same zone is lower in Newfoundland, I've been told.

However, when you use buoys on demand, ropeless fishing, you use 10-trap trawls, because it reduces costs and there are fewer fishermen in the same fishing zones.

• (1705)

[English]

The Chair: Thank you, Mr. Small.

I'd like to say a big thank you, of course, to Mr. Noël, Mr. Lanteigne, Mr. Sullivan and Ms. Morse for their time here this evening with the committee.

We're going to take a very short recess to get the other witnesses set up. I understand all of them have done a sound check except for one, so we won't be in break mode for very long.

Again, thank you for your time. It is greatly appreciated. Enjoy the rest of your day.

We will recess for a moment.

• (1705)

(Pause)

• (1705)

The Chair: We are back.

I'd like to welcome our second panel of witnesses.

Representing the Fisheries Council of Canada, we have with us Mr. Paul Lansbergen, president. Representing the Prince Edward Island Fishermen's Association, we are joined by Molly Aylward, executive director, and Melanie Giffin, marine biologist and industry program planner. Representing the Cape Breton Fish Harvesters Association, we have Mr. Michael Barron, president.

Thank you for taking the time to be with us today. You will each have up to five minutes for an opening statement.

I will invite Mr. Lansbergen to begin for five minutes or less, please.

• (1710)

Mr. Paul Lansbergen (President, Fisheries Council of Canada): Thank you, Mr. Chair.

Good afternoon and thank you for the invitation to appear before you today.

As many of you know, the Fisheries Council of Canada is the national trade association representing wild-capture processors across the country, all of whom also harvest. We promote a healthy resource and a prosperous industry that plays a vital role in the Canadian economy.

I would like to start by sharing some important facts of the sector that are often overlooked or underappreciated.

Canada has a strong sustainability record. DFO reports that 98% of our commercial fish stocks are harvested at sustainable levels. In addition, Canada is second in the world in the adoption of the Marine Stewardship Council, or MSC, which is an independent, third party, sustainable fisheries management certification. On the economic side, it is the leading sector of Canada's blue economy, with 90,000 jobs and \$9 billion in annual GDP. It is the lifeblood of coastal communities

For the discussion today, I have a number of key messages for you.

First is that no one wants to endanger whales. This should be obvious, but I feel like it needs to be said. They are majestic creatures and none of us wants to harm them.

Also, no one wants to lose gear. This should be obvious, but we know that lost gear can contribute to the entanglement risk and more. Gear is marked, it's reported when lost and there are incentives, as you heard from previous witnesses, for harvesters to retrieve lost gear.

Indeed, the whales are endangered and Canada does have a legal obligation to act. You heard from DFO officials that they have to act under the Species At Risk Act. We also need to be concerned about market implications under the U.S. MMPA, which you are also familiar with. I'll get back to that in a moment.

Dynamic closures are an effective approach. As you heard, they might not be perfect, but DFO continues to learn from one year to the next. We have certainly learned a lot from the first year of static closures. You have heard from other witnesses, including those today who are more intimately engaged in discussions with DFO, on those closures and approaches. I will just add my voice to the chorus that the dynamic approach is much better than more static approaches taken elsewhere. I encourage DFO to continue to discuss with industry the learnings from one year to the next.

In terms of market access and market acceptance, we have to be cognizant of expectations of foreign governments and customers. The U.S. market is our top export market. Last year, it was to the tune of \$6.2 billion or 70% of our seafood exports. Of this, lobster was \$2.2 billion and crab—mostly snow crab—was \$1.9 billion, for a total of \$4.1 billion. We'll learn as early as next month how the U.S. government evaluated our fisheries under the MMPA. I am confident that we will have good comparability findings.

Reactions can also impact our overall market reputation beyond those fisheries directly affected. Unfortunately, the reality is that we do have to respond to organizations that criticize us. It is even more frustrating when they are not transparent or robust in their determinations, but it is critical that industry speaks up for itself, and we have. As the national voice, FCC has been increasingly proactive in building public trust for the sector. It is also here to respond to criticisms after that fact.

We also expect that when questions are posed on how DFO is managing our resources, it defends itself and the industry. I think DFO could do better in this respect. We can't forget that DFO makes the rules and when we are criticized, it impacts them too.

Lastly, we expect MSC to defend itself and the industry. I am pleased that they have done and continue to do this.

In closing, I want to note that the lobster and snow crab sectors are innovating at an unprecedented pace. The supports from government are also helping in this respect. I hope that, in only a few short years, the entanglement risk will be virtually eliminated by the widespread adoption of innovative gear.

Thank you. I look forward to your questions

The Chair: Thank you, Mr. Lansbergen.

We'll now go to either Ms. Aylward or Ms. Giffin.

I don't know if you're sharing your time or if only one of you is giving a statement. You have five minutes between you. Begin whenever you're ready.

Ms. Molly Aylward (Executive Director, Prince Edward Island Fishermen's Association): Thank you, Mr. Chair. I'll be making the statement today.

Thank you, Mr. Chair and members of the committee, for the invitation to speak here today.

The P.E.I. Fishermen's Association was created in the 1950s and has evolved alongside the Department of Fisheries and Oceans to create the well-established working relationship we currently maintain. Our goal in being here today is to focus on North Atlantic right whale management measures as they relate to Prince Edward Island, and how they can be adapted to ensure a successful fishery while also not impeding the growth of the North Atlantic right whale population.

Before focusing on measures that affect P.E.I. specifically, we feel it's important to point out an overall challenge with the process to date. Since 2017, when the mass mortality triggered meetings to discuss management changes, we feel there has been a lack of meaningful consultation with harvesters. There have been advisory committee meetings and gear summits, but there have been very few harvesters invited to take part.

The gatherings have felt like an opportunity for DFO to check a box while concerns and recommendations voiced during those meetings appear to have fallen on deaf ears. It is the harvesters who are key to a successful solution, so considerable time should be invested by DFO to talk to fishers in every LFA to determine what will and won't work in that area. The first time DFO met with P.E.I. harvesters was in August 2022, five years after discussions started.

There's still an opportunity for DFO to be more focused on meaningful consultation with harvesters.

Moving on to current measures related to Prince Edward Island.

First is the mandatory requirement for weak whalesafe gear. The PEIFA understands the goal of this management measure. Unfortunately, there's a lack of information being shared by DFO with harvesters regarding the details. Harvesters need time to modify their gear and January 1, 2023, is fast approaching. P.E.I. harvesters normally prep rope a year in advance of the season. Harvesters would like to avoid a situation like gear marking, which was announced only one month prior to the season and left everyone to scramble to find twine and modify their gear. Major changes like this result in procurement issues slowing the process even more.

The PEIFA still has the following unanswered questions. When will DFO present a list of approved gear? Where does the weak link need to be installed on the vertical line?

Second is with regard to seasonal closures. Currently, Transport Canada is discussing changing the restricted zone near Shediac Valley, based on 2022 whale sightings. There are also discussions of making the restricted zone adaptable, so it can be changed throughout the season, if necessary. The PEIFA feels DFO could consider the same adaptability in relation to the seasonal closures. The first seasonal closure in 2022 was announced around May 19, leaving the grid closed until November 15, almost six months. Adaptability could be built into this management measure to review the area monthly and determine if reopening the grid would be high or low risk. If the risk is low and reopening the grid gives fishers more ground, that should be a discussion on the table. Currently, there is no discussion about reopening once a grid is closed for the season.

Third deals with 20 and 10 fathom exclusion lines. This management measure points to the lower risk of interaction in shallow depths and is also an example of a measure that balances protecting the whales while allowing fishers to access rich fishing grounds.

There is a recommendation from the PEIFA for management measures regarding fishing depths versus whale sightings. In P.E.I. lobster harvesters fish in depths that range from four to 130 feet. It is obvious North Atlantic right whales are not sighted in four feet of water. Therefore, management measures being forced on fishers in these areas are not effective in protecting whales. However, they do create additional work and the risk of lost gear to fishers. This could be solved with an exclusion zone, based on the science of the minimum depth North Atlantic right whales are sighted.

As an example, if the 10th fathom line was the exclusion line, it would save about 99% of island fishers some time and money in the preparation of their gear without increasing the risk to North Atlantic right whales. These numbers are extrapolated from 503 surveys completed by island fishers on gear configuration through the whalesafe gear adoption fund.

The PEIFA has been working diligently on this file over the years. We take part in the following committees and advisories: DFO's technical working group, DFO's advisory committee, the North Atlantic Right Whale Consortium, the Ropeless Consortium, Transport Canada's small vessel technical working group and the Canadian Wildlife Federation. The PEIFA also attends the North Atlantic right whale stakeholder meeting.

• (1715)

We then disseminate the information gathered to P.E.I. fishers through advisory and board meetings on P.E.I. The PEIFA is also working with harvesters to determine whalesafe gear that would work for P.E.I. This work started prior to the whalesafe gear fund, but trials expanded through the whalesafe gear fund while additionally collecting data on gear configuration. We hope to use gear configuration information to ensure management measures are efficient for P.E.I.

Harvesters also do their part to find efficient methods to remove ghost gear and to remove lost gear before it becomes ghost gear. Again, some of this work has been ongoing on P.E.I. prior to the ghost gear fund, but the work has been expanded with the help of this fund.

The PEIFA is aware that this is a complex issue. We want to work with DFO to find solutions, but we are also feeling that there are missed opportunities for DFO to listen to the concerns raised by fishers and to discuss possible solutions.

Thank you for your time.

• (1720)

The Chair: Thank you.

We'll now go to Mr. Barron for five minutes or less, please.

Mr. Michael Barron (President, Cape Breton Fish Harvesters Association): Thank you very much.

Good afternoon, honourable members of Parliament. It is an honour to be here today to present to you on the North Atlantic right whale. My name is Michael Barron. I'm the president of the Cape Breton Fish Harvesters Association and also an independent owner-operator of a fishing, lobster and snow crab enterprise in a small coastal community in northern Cape Breton.

As an industry, we're in a difficult place, being at the forefront of the economic and social change that accompanies reconciliation, and now having to deal with the right whale crisis. I would like to stress that as an industry we take great pride in being stewards of the ocean. Our industry would simply not exist if conservation and sustainability was not central to everything we do. We take great pride in the sustainability of our industry, but we often feel our expertise is overlooked or dismissed when it comes to the decisions that are being made around potential new policies and timelines for implementation.

I really want to stress that we need to be more mindful that science, evidence and clear transparent risk assessments need to be in the forefront of DFO policy and regulatory decisions, and not sensationalism and misinformation.

We don't have to look very far, to the recent Monterey Bay Aquarium report, which erroneously listed lobster and snow crab in the red zone, to see the effect a non-evidence-based report can have on an entire industry. Although this is just an NGO report with no real factual or transparent scientific data, it garnered significant media attention and caused great concern amongst the industry. It is also concerning that the government took so long to make a public address in support of the industry to acknowledge what we have done to try to prevent the right whale entanglement. I understand the report was released around the same time as the mourning period of Her Majesty's death, and the mourning was for seven days.

Let me be clear. There have been no reported North Atlantic right whale entanglements linked to Canadian lobster fishing gear in recent years, including since 2017 when Canada enhanced protection measures for right whales. We were glad to see the minister communicate these facts, and I hope that her department leans on our expertise instead of overlooking or dismissing our opinions as they often do when making decisions on the future of our industry. However, I am not overly hopeful, given the fact we are currently being rushed into costly and potentially unsafe gear modifications that lack a proven track record of success.

Similar to other associations, ours is testing whalesafe gear. We actually have one member that is testing ropeless gear, which is a term that is fairly unsettling to me, as we do need rope to retrieve our gear. I prefer the term “end lines on demand”. Nonetheless we are not having much success at this point, which is scary given that we may be forced into an April 1, 2023, gear change implementation timeline. This causes us great concern, because this is only a few months away, giving fishers little time to make the appropriate changes, not to mention that the potential new products could be in short supply as suppliers will not have enough stock on hand.

This rushed timeline concerns industry from a practical perspective but also from a safety perspective as well. We are deeply concerned about using weaker rope or breakaway links when hauling our gear in an environment that is far from forgiving at times. This gear can part or break, and depending on when and where this happens, it becomes a huge safety issue. The parting of this gear would also create more ghost gear. Also, if this end line on demand does in fact become implemented, it could lead to potential gear conflicts. If there is no identifiable marking at water's surface, one fisher will be able to set over another fisher's gear, which may cause both end line on demand units to fail and create even more ghost gear.

I guess I must give DFO credit. They have created this ghost gear fund in lieu of the whalesafe gear modifications that will potentially create a lot of ghost gear. Also, if this technology is implemented to fish within a closed area due to the North Atlantic right whale sighting, it will come at a great cost that only a few within the industry will be able to afford. This in turn could be a huge economic loss to not only the harvester but the coastal community in which they live, which would also mean less taxable income for the government.

On top of this, global issues are impacting the price of our product at a time when the cost of everything is going up. We are not immune to these cost pressures, and I hope you can appreciate this is a vicious circle with no clear exit. Well, maybe there is one—bankruptcy.

The seafood industry directly employs more than 10% of the people in my home county, Victoria County, Nova Scotia, and our industry is often praised that we generate approximately \$2 billion of landed value to harvesters within Atlantic Canada and \$3.2 billion in export value.

• (1725)

However, we always seem to be on the defensive when it comes to policy changes driven by persuasive public relations campaigns rather than science, evidence and risk. As an industry, we pride ourselves on our sustainability, yet we are forced to endlessly pivot while other entities that use our beautiful pristine ocean do not seem to have to be consistently under the public eye.

In closing, please understand that industry does not want to upset the balance of the ecosystems we fish in. We want the North Atlantic right whale to continue to live amongst us in its environment. We want to continue to provide pristine sustainable protein to help with food security for our great country and around the world, and to provide economic revenue to our coastal communities. We just want to make sure that evidence, science and industry expertise

drive policy and that we are given the appropriate time to adjust to practical and logical change.

Thank you. I look forward to your questions.

The Chair: We'll now proceed with the first round of questions.

We'll go first to Mr. Perkins.

Go ahead for six minutes or less, please.

Mr. Rick Perkins: Thank you, Mr. Chair.

Thank you to the witnesses.

My first question is for Ms. Aylward. I was very much interested in your discussion about the issue of changing the permanent closure that P.E.I. fishers are dealing with, in particular in the shallow depths. I think it makes a lot of sense. In fact, as you may be aware, there was a closure in southwest Nova Scotia in June because of the sighting of a right whale, but FSC fisheries were allowed to continue in that area.

I wrote to the minister on that. The minister wrote me back on October 5, and I'll quote from her letter. She said:

As you note, NARW closure protocols do not currently apply to FSC harvesting activities, which are rights-based, small-scale, and often occur in shallow waters, to which these whales are less likely to migrate.

I wouldn't mind tabling that letter with the committee, just as part of the study.

The minister and the department are acknowledging, in their response to my letter, that shallow water gear is not a threat to right whales. I wonder if you could briefly comment on that.

Ms. Molly Aylward: Thank you for your question. I'm going to defer to Melanie Giffin. She is the P.E.I. marine biologist and also the lead on the file for us. Thank you.

Ms. Melanie Giffin (Marine Biologist and Industry Program Planner, Prince Edward Island Fishermen's Association): Thank you for your question.

Basically here in P.E.I., we know that we fish in shallow waters compared with the situation in other areas. One of the facts we have, based on surveys we've done, is that, we know fish are in waters that are as shallow as four feet deep. Yes, you're absolutely right that you're not going to see a North Atlantic right whale in four feet of water. There are absolutely management measures that are out there currently that show this.

Exclusion zones already exist for closures with the 10- and 20-fathom line, so our request is for an exclusion zone based on whale sightings, which would actually exclude island fishers from requiring the weak links. That's based purely on science and on low-risk areas, but it would save money and time for P.E.I. harvesters who fish in those small areas.

Mr. Rick Perkins: Thank you, Ms. Giffin.

Along with same lines, my next question is for Mr. Barron. It's a follow-up question, and I'm sure Ms. Giffin could probably comment too.

Mr. Barron, with the closures you've experienced—and I understand that in the Cape Breton region, you get a lot of single whale sightings as they transit the gulf—can you tell me what the economic impact of those 15-day closures is when a whale is transiting by and there is that one sighting?

Mr. Michael Barron: Actually, we haven't had a closure here within our LFA 27. They've happened only on the other side of our LFA 27 line, which runs out of Bay St. Lawrence and borders the gulf. We're actually in a unique position because our lobster harvesters are with LFA 27, but their snow crab licences are in area 19 in the gulf, so we have not experienced the closure here on our side of Cape Breton.

• (1730)

Mr. Rick Perkins: Thank you. To follow up on that, Mr. Barron, can you explain a little more about what your experience has been or your members' experience has been with the two types of experimental gear? It is good that they're experimenting, but my understanding is that it has a high failure rate on all accounts.

Mr. Michael Barron: Yes.

As an association, we were able to get most of the weak gear out to our members this year, minus the breakaway links. We had sleeves, weak rope and a different type of sleeve. With the unique way that our single trap fishery... It's the same as the PEIFA and other areas in the gulf. We fish fairly shallow jagged shorelines, which caused some of the gear to be not easy to haul. We ended up losing some due to chafing and stuff, depending on where we were instructed to see if this weak rope would work.

As for the end line on demand gear, the harvester we have testing it has actually tested three different versions. One requires two sets of rope. One you bundle up in a bag and it's released automatically when you get close to it. He hasn't had much success with that. He's had another one that requires an automatic coiling machine aboard, which is approximately \$12,000 to the harvester to purchase the coiling machine and \$4,000 for each buoy. For example, in his snow crab fishery he would have to have 24 buoys and a coiler. If we ever had it seated in our lobster fishery we'd have 275 buoys and a \$12,000 coiler. Economically, it does not make sense.

Mr. Rick Perkins: Thank you.

I have a quick last question to Mr. Lansbergen.

The U.S. senators, politicians and government have been quite vocal about protecting the main industry against that report. Are you aware of anything that DFO has been doing in the U.S. to counter the myths that were perpetrated in that report?

Mr. Paul Lansbergen: No, I'm not directly aware of any discussions between DFO and the U.S. senators or NOAA, although I do believe DFO and NOAA are talking about the comparability findings for Canada, which is a bit of a separate issue.

One thing that we've done is that we've been sharing information with our counterpart, the National Fisheries Institute, to help deal with this issue on both sides of the border.

The Chair: Thank you, Mr. Perkins.

We'll now go to—

Mr. Michael Barron: Excuse me.

The Chair: Did somebody say excuse me?

Mr. Michael Barron: I'm sorry about that, Mr. Chair.

I just wanted to add something to—

The Chair: I'd ask you to send it in writing. We've gone over the time allotted to Mr. Perkins for questions and answers.

We'll now go to Mr. Morrissey, for six minutes or less, please.

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

My questions are for Ms. Giffin.

Ms. Giffin, could you outline to the committee any protocols that were in place this year by DFO on the gulf that, in your opinion, are redundant and that you would be comfortable removing and it would have no negative impact on potential U.S. retaliation?

Ms. Melanie Giffin: I would point again to the exclusion lines. Actually, it wasn't mandatory this year for weak links.

Off the top of my head, I don't have one. If I think of one later I'll send it in. My apologies.

Mr. Robert Morrissey: Thank you.

Nothing that took place this spring was redundant, in your opinion.

My next question would be this. Has the catch of lobster or crab been negatively impacted? Have the catches gone down since the narwhal protection measures have been put in place?

Ms. Giffin.

Ms. Melanie Giffin: In my opinion, not that I am aware of due to the management measures for lobster. There were major challenges this year with the snow crab fishery. It is a quota fishery and not competitive. Because the whales were circling more looking for food this year, it did create longer and much larger seasonal closures. This actually boxed the island snow crab fishers out of their normal fishing grounds as well. They struggled to catch their quota this year.

• (1735)

Mr. Robert Morrissey: The quota...?

Ms. Melanie Giffin: Yes, for snow crab.

Mr. Robert Morrissey: Okay. Thank you.

We've heard about the impact of some of the measures from a cost factor. Has the PEIFA with other groups done any analysis of the financial impact if we were restricted in the U.S. market for lobster and crab?

Ms. Melanie Giffin: Not that I am personally aware of. I believe the Lobster Council may be working on items such as that. The PEIFA has not been working on those.

Mr. Robert Morrissey: Ms. Giffin, you're somebody that I view with a lot of credibility on your scientific approach and your biological background.

We've heard from a number of presenters about the shortcomings of some of the protocols that DFO is considering and looking at. If you don't have it today, could you advise the committee in writing on what, in your opinion, would be measures that could be put in place that would protect the North Atlantic right whale and allow the fishers to put in place those practices?

Because we've not heard a lot on possible solutions.... We've had a lot of questioning of some of the protocols that were being considered, like breakaway rope and retrievable buoys, but we have not heard—that I recall—much evidence given or testimony on solutions that you would view as workable.

Could you comment?

Ms. Melanie Giffin: I can, yes. Thank you.

The key one is the one that we put in our opening statement from the PEIFA, and it's related to P.E.I. fishers only because, as has been pointed out numerous times, what works in one area won't work in another. Because P.E.I. has a shallow fishery compared to other areas, an exclusion zone for those weak links would be a major help for P.E.I. in terms of the economic—

Mr. Robert Morrissey: Melanie, could you expand? I don't quite understand. Could you expand on the exclusion zone?

Ms. Melanie Giffin: Yes, absolutely. If DFO set it at, say, 10 fathom, anybody who fishes within 10 fathom—if the gear is within 10 fathom—then the weak links are not required. It sounds simple, but it actually saves about 99% of island fishers their time and money. It's also a very low-risk area based on sightings of whales in the past, so within 10 fathom, not requiring that mandatory measurement for weak links would be a huge help here on P.E.I.

Mr. Robert Morrissey: Thank you.

As it relates to the crab fishery in the gulf, which is pursued in deeper water, are there recommendations that you view as workable? I believe that one thing we all agree on is protecting the North Atlantic right whale and, in deference, protecting our access to the key U.S. market. I mean, at 70% of our market, obviously it sends shivers up the spines of all fishers if the Americans toy with this. We experienced it in P.E.I., as you're aware, when the Americans closed the border on P.E.I. potatoes, and the shock waves that it sent through that industry.

On that side, could you provide additional testimony, written testimony, to the committee on steps that you would like to see this committee recommend to DFO, both to ensure the protection of the whale but also to allow the fishers to maximize their fishing efforts? Is it something that you could comment on?

Ms. Melanie Giffin: We can submit those comments. That was specific to snow crab. Is that correct?

Mr. Robert Morrissey: Yes, and to lobster as well, because it is starting to look at lobster.

Ms. Melanie Giffin: Yes, we can submit those.

On the snow crab side we definitely want to see the adaptability that others have been talking about in those seasonal closures. That would definitely assist our snow crab fishers in getting out there but would still protect the whales at the same time.

Mr. Robert Morrissey: Thank you, Ms. Giffin.

The Chair: Thank you, Mr. Morrissey.

We'll now go to Madame Desbiens for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

Given what I'm hearing today, I'd like to put my next question to Mr. Lansbergen.

Mr. Lansbergen, I would like to get your opinion on the importance DFO places on humans versus the importance they place on right whales.

In other words, does it consider the preservation of the right whale as much as it does the impact on individuals in order to preserve our reputation with the United States?

• (1740)

[*English*]

Mr. Paul Lansbergen: Thank you for the question.

I think DFO often tends to look at the ocean ecosystem and marine mammals more so than the industry as an economic driver for coastal communities. Yes, I think they are putting more weight on protecting the ecosystem and various parts of it, more so than looking at how to do that as well as promote the growth of the industry, if that answers your question.

[*Translation*]

Mrs. Caroline Desbiens: Thank you.

Ms. Giffin, basically what we're hearing today is that fishers would like to be consulted more.

We sense from you that there is a fairly simple solution that could be put in place that would solve 99% the problem for fishers. Being a biologist and a scientist, basically, you would like to see more consultation with fishers and a certain period of time to ensure the adaptability of the mechanisms we want to put in place.

Is that the way you see it?

[English]

Ms. Melanie Giffin: Yes, it is. I will point out that the 99% number is for Prince Edward Island fishers only. As was pointed out, something different will work for other people in other areas.

[Translation]

Mrs. Caroline Desbiens: I would like to get comments from each of the witnesses on the following question.

Can we agree that we are moving too fast in terms of getting the provisions in place for January 2023?

Do we also agree that there should be a better balance in terms of the impact on individuals? In the first part of our study today, we heard that this creates a form of anxiety. Sometimes fishers will rush to meet the quota while the fishery is open, just in case it closes. That creates a lot of tension in fishing communities.

Do you agree that a certain period of time should be set aside to implement the provisions so that they are adaptable based on the specific fishery situation in each region?

Are these two things that you pretty much agree on?

Each witness can answer with a yes or a no, or make a short comment.

[English]

Ms. Melanie Giffin: I don't mind jumping in first to say that more time would be excellent.

I mean, we found out that there was going to be a mandatory implementation in 2023. We have only a two-month season to trial anything. When we attempted to get gear for the spring season, procurement of that gear became an issue. It's mandatory in all of eastern Canada, so everyone was trying to get their hands on it. That left a small period to trial some gear in LFA 25, yet it's meant to be mandatory in January 2023, when three-quarters of Prince Edward Island hasn't had an opportunity to even trial to see what could work for them in their area.

From a P.E.I. perspective, more time would be appreciated, absolutely.

[Translation]

Mrs. Caroline Desbiens: Is there any time left for other speakers, Mr. Chair?

[English]

The Chair: There is a minute left.

Mr. Michael Barron: Okay. I'll go next.

I definitely agree that we need more time to see what will and won't work. We need more time to provide consistent, reliable in-

put. We just can't be thrown into these measures to satisfy our counterparts across the border.

Again, it's not that as an industry we don't want to protect the right whales. It's just that we have to protect our crew as well. If we're using gear that's deemed unsafe, then what? Then who's responsible?

We definitely need more time.

• (1745)

Mr. Paul Lansbergen: Very quickly, I have no problem with aiming high to achieve high. Ambitious targets are always a good thing, but I think we also have to be realistic. I think you've heard overwhelming testimony so far that the current targets or deadlines are not realistic or feasible.

The Chair: Thank you, Madame Desbiens.

We'll now go to Ms. Barron for six minutes or less, please.

Ms. Lisa Marie Barron: Thank you, Chair.

Thank you to the witnesses for being here today.

I'm going to ask a quicker question, and then my colleague Mr. Morrissey has some more questions that he's very keen to ask. I'll pass the remainder of my time today, after that question, over to Mr. Morrissey.

Ms. Aylward, you spoke about the impacts of the gear-marking requirements that were put into place about one month prior to the season commencing. I'm wondering if you could share a little bit more around the economic impacts and the challenges that were experienced as a result of that.

Ms. Molly Aylward: I am going to defer to my colleague, Melanie Giffin.

Ms. Melanie Giffin: Basically what happened was, about a month before the season started, DFO announced the mandatory requirement for gear marking and it became a scramble on the east coast for people to find the proper coloured twine. There were issues that came up and trying to get answers out of conservation protection officers here on P.E.I. became a challenge because they didn't even have all of the answers to the questions we had.

Economically, I don't have valid numbers to give you on the economics of it. I just know that it was a struggle and a challenge that this office had to face constantly each day to try to find twine, to try to make sure we had all the proper information about where the markings went. Some of that wasn't even decided when the mandatory measure came out, so it just created chaos. If the management measure isn't run by industry first, then those questions are going to continue to come up. That's why industry conversations are such a key point when introducing anything like this.

Ms. Lisa Marie Barron: Thank you.

With permission, I'll pass the remainder of my time to Mr. Morrissey.

The Chair: Bobbie, you have about three and a half minutes, almost four.

Mr. Robert Morrissey: Thank you, Chair, and thank you to my colleague, Ms. Barron.

I want to go back to Ms. Giffin.

Ms. Giffin, there have been a number of opinions expressed to the committee recognizing that the acoustic sounding devices are key in establishing when right whales enter particular areas, but they haven't been used in practice to determine when you could re-open.

Could you opine on this to the committee? From your knowledge as a biologist, a scientist, is that sound technology that we could be using more to target openings and closings, particularly closings? We do it very well on closing zones, but we're not using it on re-opening.

Could you give the committee your opinion on the validity of this technology to reopen zones?

Ms. Melanie Giffin: Absolutely, the technology appears sound. The majority of the buoys that are out there are real-time buoys so they are picking up the whale calls, which are identified quickly and determined to be right whales, and then closures take place.

I know we just had a technical working group meeting and they told us there were 84 days when there were acoustic soundings heard. Therefore, any of those days around that there were no acoustic soundings could possibly eliminate and be used to understand better when there are no whales in the area. It is absolutely sound technology from that perspective, in my opinion.

Mr. Robert Morrissey: As a biologist are you comfortable in recommending to this committee that the technology should be considered seriously by DFO in establishing a methodology to re-open zones?

Ms. Melanie Giffin: Yes. I think the key there is that each buoy only controls nine grids.

Mr. Robert Morrissey: My question is for Mr. Lansbergen. The concern I have as a parliamentarian who represents a large fishing area that's so dependent on lobster and crab is the access to the American market. If your organization were advising DFO, where should the department caution on—ensuring we meet the protocols the Americans are insisting we meet to maintain access to that mar-

ket, or continuing to maybe go it on our own to the annoyance of the Americans?

Could you give an opinion on that?

• (1750)

Mr. Paul Lansbergen: Certainly. As I said in my opening remarks, Canada is taking a dynamic approach to the closures in order to protect right whales. I think you have heard overwhelming evidence that it is more effective than static closures, and it's not as disruptive to the fishing industry even though it's not perfect.

I would hate to see us take a less effective approach because the U.S. government would think that's a better approach. The challenge is how we take the most effective approach and convince the U.S. government that we're achieving the objectives of their legislation as it pertains to us and not following necessarily the same methods. It's the outcomes that are the most important. I think DFO has been very strong at NOAA to convince them of that, but we will only find that out over the next month or so.

The Chair: Thank you, Mr. Morrissey.

Now, it's time to say goodbye to our witnesses, because we have committee business to do and we have a dead stop at 6:15 p.m. We do not have any services beyond that point, unfortunately, and we have to do drafting instructions and talk about travel. We have committee business, and it takes a few minutes to change over to in camera.

I want to say a big thank you to Mr. Lansbergen, Mr. Barron, Ms. Giffin and Ms. Aylward for spending their time with us this afternoon and sharing their knowledge with committee members. I'm sure it will be valuable information for the writing of the report. The analysts have taken great notes throughout your testimony.

I think some of you were asked to send information to us in writing. If you think there's anything else you want to add as a witness, by all means, please send it to the committee and we'll incorporate it into the final study with recommendations.

Again, thank you. We'll take a quick recess, now, while we switch over to in camera.

[Proceedings continue in camera]

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