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Chair

Mr. Scott Simms

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• (0850)

[English]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): Good morning, everybody, and welcome to the Standing Committee on Fisheries and Oceans. We are continuing our study on marine protected areas.

First of all, we want to welcome our guests this morning. We are missing one of the guests. Hopefully he'll be able to join us a little later, but in the meantime we'll proceed as planned.

From the Nunavut Planning Commission, we have Sharon Ehaloak.

Did I pronounce that correctly?

Ms. Sharon Ehaloak (Executive Director, Nunavut Planning Commission): Close enough.

The Chair: Close enough. That's right. My whole career is based on that.

We also have Jonathan Savoy, manager of implementation, also from the Nunavut Planning Commission.

We thank you both for being here.

We also have Brian Clark from the Pacific NorthWest LNG, environmental advisor, and registered professional biologist.

Moreover, we have Chris Wellstood from the Vancouver Fraser Port Authority, director, marine operations and security, and harbour master. Thank you. It's very apropos for us, as we just returned from Prince Rupert. So we're familiar with the infrastructure to this point. I hope that your presentation will tell us more.

The way this works is that each group will get 10 minutes or less to start and then we will start a round of questioning. We're going to start with the Nunavut Planning Commission. I understand that one of you will be speaking on your behalf for the 10 minutes.

Ms. Sharon Ehaloak: Two of us.

The Chair: Both of you. So you're going to split it five minutes each.

Ms. Sharon Ehaloak: Give or take.

The Chair: Give or take. We like to take here.

So five minutes or less would be great. Thank you very much. You have five minutes or less.

So, Ms. Ehaloak, please.

Ms. Sharon Ehaloak: Thank you very much, and thank you, committee members, for inviting us here today. I am the executive director of the Nunavut Planning Commission. I've been with the commission for 12 years. Jonathan Savoy, you've met. Our legal counsel, Shane Hopkins-Utter, is with us as well.

We have given you a written brief, so we're going to just highlight points throughout so we can have a fulsome dialogue. For those who don't know about the commission, the Nunavut Planning Commission is an institute of public government. It was created under the Nunavut Agreement. The NPC has a broad mandate under the Nunavut Agreement and the NUPPAA legislation to develop land use plans that guide and direct resource use and development in the Nunavut settlement area.

The NPC's broad planning policies, objectives, and goals established in 2007 apply to the MPAs in the Nunavut settlement area. The NPC is presently working on the draft Nunavut land use plan, which is before the commissioners, and we continue to approve and implement regional land use plans, the North Baffin regional land use plan—which includes Lancaster Sound—and the Keewatin regional land use plan.

The commission performs conformity determinations on any MPA initiatives proposed in Nunavut. The commission is a member of the Nunavut Marine Council. In the commission's consultation process, we have learned that planning for the use and protection of the marine environment and the marine wildlife is highly important to Inuit and their rights under the Nunavut Agreement.

Inuit want sustainable economic development and want employment opportunities. To clarify our recommendations, recommendation number one is for ongoing research on whether MPAs have positive economic impacts. Inuit want food security, and a strong economy, one that respects our culture and our traditions.

Jonathan.

Mr. Jonathan Savoy (Manager of Implementation, Nunavut Planning Commission): Thank you very much.

I'd like to thank the standing committee for the opportunity to provide comments on the criteria as set out in the Oceans Act.

I'll now turn to some comments and recommendations on subsection 35(1) of the act.

Paragraph 35(1)(a) makes reference to “commercial and non-commercial” fisheries. We would like to note that Nunavut is currently in a food security crisis. For example, the Inuit health survey reported that nearly 70% of Inuit households in Nunavut are “food insecure”, which is over eight times the national average and among the highest documented food insecurity rates for an indigenous population in a developed country.

Due to large-scale and dramatic changes to the marine environment in the Arctic Ocean, including marine ice, the need to protect subsistence fisheries using available tools, including marine protected areas, is becoming particularly pressing, if not an issue of survival for many Inuit. While current mandate letters helpfully identify the importance of reconciliation with indigenous peoples, mandate letters may change.

The NPC suggests a more permanent commitment to reconciliation. Our second recommendation is to add a distinct reference to indigenous or Inuit subsistence fisheries in the Oceans Act, at paragraph 35(1)(a), as distinct from commercial and non-commercial fisheries. Our third recommendation, as outlined in the brief, is to ensure that Inuit subsistence harvesting is not affected by marine protected areas.

In respect of paragraphs 35(1)(b) and 35(1)(c), it is reasonable for MPAs to provide conservation of endangered or threatened marine species and their habitats as well as unique habitats. Arctic marine mammals rely on both terrestrial and marine habitats. In the Arctic, some unique areas are transitory, but these remain important to protect.

Our fourth recommendation is that the Oceans Act should expressly recognize that many marine mammals in the Arctic rely on the foreshore and marine ice as habitat, meaning that to adequately protect unique areas and endangered or threatened marine species using marine protected areas, there must be complementary protections of the terrestrial and marine ice habitats of those species.

Our fifth recommendation is that marine protected areas established under the Oceans Act should expressly recognize that in the Arctic Ocean, water is often frozen and provides a unique, albeit transitory, habitat. The second sentence of our fifth recommendation should be read as saying that if an MPA is proposed to protect unique marine ice habitat, it should allow human uses at other times.

In respect of paragraph 35(1)(e), the 2015 mandate letter of the Minister of Fisheries, Oceans and the Canadian Coast Guard reads in part as follows:

It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership.

Paragraph (35)(1)(e), which references the mandate of the minister, should not be relied upon alone. Mandate letters are not always released, meaning that MPA processes may be commenced for reasons that are unknown to others. Our sixth recommendation is that the Oceans Act should enshrine reconciliation with Canada's indigenous peoples rather than rely on mandate letters, which may change before an MPA can be established.

I'll now turn to a few comments on the process of establishing marine protected areas.

We note that Canada's strategic plan for biodiversity for 2011 to 2020 outlines a five-point plan.

The first point is to finish what was started. We suggest prioritizing the completion of marine protected areas in the Arctic Ocean to meet the conservation targets that have been set.

The second point is to protect pristine areas. At the current rate of increases in use, many pristine areas in the Arctic will be altered by human activities unless conservation and protection measures are identified and put in place in a timely way.

The third point is to protect areas under pressure. We'd like to note that many areas of Nunavut's marine environment are currently under pressure from climate change.

● (0855)

The fourth point is to advance other effective area-based conservation measures. We note that DFO has issued operational guidance for establishing these other effective area-based conservation measures.

We would like to note that a land use plan prepared by the Nunavut Planning Commission under the Nunavut Planning and Project Assessment Act is a long-term adaptive management approach to resource use and development throughout Nunavut, including in the marine environment. Subject to any revisions that may occur to the current draft plan at the end of the public hearing process, the NPC suggests that any restrictions on use of the marine environment that are in the final plan could be considered an “other effective area-based conservation measure” and counted towards Canada's Aichi biodiversity targets.

This leads to our seventh recommendation, which is that once the Nunavut land use plan is approved, if it meets DFO's criteria for other effective area-based conservation measures, it should be counted towards Canada's Aichi biodiversity targets.

Finally, the fifth point is to establish MPAs faster. We note that a lengthy process of establishing protection measures means that sensitive areas may be largely unprotected while studies and discussions are ongoing, and the precautionary principle may not be implemented in a timely way. Our eighth recommendation is that the Oceans Act should provide for the establishment of non-permanent interim protection measures to allow temporary restrictions for the purposes of studying the effects of imposing marine protected areas.

Finally, I'll note that because the Nunavut Planning Commission's broad planning policies, objectives, and goals are applicable to initiatives and conservation areas, including marine protected areas, and because the NPC will perform a conformity determination of any DFO proposal for an MPA in Nunavut, it is important that the NPC continue to be consulted through a collaborative and ongoing process.

In conclusion, we'd like to thank the committee for the opportunity to comment on the criteria and process for establishing marine protected areas under the Oceans Act. We look forward to any questions you may have.

Thank you.

The Chair: Thanks to both of you. With 20 seconds to spare, that's pretty close. My compliments, too, for your very well-organized submission, with all of your recommendations. We appreciate that. Certainly, our analyst appreciates it; I'll speak on his behalf for now.

Next we have Pacific NorthWest LNG, with Mr. Brian Clark, who is the environmental advisor and a registered professional biologist.

Mr. Clark, please. You have 10 minutes or less.

Mr. Brian Clark (Environmental Advisor, Registered Professional Biologist, Pacific NorthWest LNG): Thank you.

On behalf of Pacific NorthWest LNG—the acronym is liquefied natural gas—I'd like to thank the committee for this opportunity.

In my past life I was a director of BC Parks and I'm on the board of directors of the Nature Trust of British Columbia, so I appreciate the importance of conservation areas. I also appreciate how hard it is to pick the right ones. You have a big task.

Please accept this short presentation as support for protecting sensitive marine areas while maintaining economic opportunities on the Pacific coast of Canada.

Pacific NorthWest LNG has both provincial and federal approval to construct an LNG facility and associated marine infrastructure within the Port of Prince Rupert. Looking ahead, our main operational requirement is for predictable and efficient marine access to bring in LNG carriers, load them, and get them out again to our Asian partners on a daily basis for the next 40 years or more.

Prince Rupert's location provides us an advantage over other areas in North America because of the shorter distance—but still, that marine access is critical.

Looking back over the last four years of our project, we have learning experience that can inform us on how marine protected areas could be incorporated as part of a regional sustainability plan that would support an effective environmental assessment program.

As for the lessons learned: number one, there is a lack of clear process for integrated coastal planning that leaves proponents to develop strategies in an information vacuum. Where are the no-go zones? What are the thresholds for impacts? The recent panel review of the environmental assessment process suggests the need for regional planning. We agree and believe that those plans need to include sensitive marine habitats while guaranteeing vessel access through Canadian waters.

Number two, we need specific plans for coastal areas of high industrial activity. The Pacific NorthWest project is located in a federal port within an industrial zone, yet there are no accepted activities to streamline environmental assessment processes. We support British Columbia's Chamber of Shipping recommendation that the Oceans Act specify a process for the sustainable development of high-activity coastal areas in particular.

Number three, there is a tremendous lack of scientific examination and resources to set baselines and determine thresholds on the north Pacific coast. The last significant government research in Chatham Sound was in the 1970s. The federal agencies need more funding, but don't overlook the knowledge database of proponents. We and

others on the north coast have done a lot of studies over the last four years and have an enormous amount of raw data available for making assessments on fish, marine mammals, and the habitats they use.

On science versus emotions, we also found, and you will experience this too, that some people want to protect things just because they are out their front door, as opposed to looking at the most critical habitat to conserve, the areas that are truly deserving of marine protected area status, through thoughtful evidence-based analysis. You only have 5% or 10%, I understand, and you don't want to waste that; you want to make good use of it.

Finally on the lessons learned on habitat or best management practices, in Chatham Sound the migratory species such as salmon and whales require a more holistic approach, and best management practices within Chatham Sound are potentially more important than protecting specific locations. Sound, pressure, and ships all have some impact, and best management practices in Chatham Sound, I believe, would be more appropriate than protecting specific areas.

On our needs as an industry, we need processes for determining the best marine protected areas. Those processes must be transparent, predictable, and adaptable. Clarity is critical. We want you to lead the way, but we want to be involved at an early stage so we can plan to incorporate marine protected area designations into our design and operations.

On certainty, our project has a 40-year-plus lifeline. It requires \$13 billion just to construct the facility. I'm confident that our operations can adapt to emerging issues, but safe and secure shipping routes to international markets must be guaranteed.

Thank you.

• (0900)

The Chair: Thank you, Mr. Clark.

We have Mr. Chris Wellstood, who is director of the marine operations and security, and is a harbourmaster, from Vancouver Fraser Port Authority.

You have 10 minutes or less, please.

Mr. Chris Wellstood (Director, Marine Operations and Security, Harbour Master, Vancouver Fraser Port Authority): Honourable chair and committee members, thank you for inviting the Vancouver Fraser Port Authority to be involved in this very important study focused on marine protected areas.

The Vancouver Fraser Port Authority is the federal body responsible for overseeing and managing Canada's largest port. The Port of Vancouver is critical to Canada's trade and our trading economy, and 20% of the value of Canada's goods trade moves through the Port of Vancouver. Almost 95% of the port's total volume serves Canadian import and export markets. Overall, the Port of Vancouver handled 135.6 million tonnes of international and domestic cargo in 2016, worth an estimated \$202 billion. That's half a billion dollars in goods moving every day that families across Canada rely on for their livelihood.

As a Canada port authority under the Canada Marine Act, we are mandated to facilitate trade while protecting the environment and considering local communities. We are required to provide the marine infrastructure to support Canada's trade. Ultimately, our goal is to ensure that future generations of Canadians will enjoy the benefits of trade, improved quality of life, and a healthy and vibrant ecosystem.

Our vision is to be the world's most sustainable port. We support protection of the environment through many different programs and through the work of a team of environmental scientists. For example, our ECHO program, which some of you may be aware of, was launched in 2014 to better understand and manage the impacts of shipping on at-risk whales.

With respect to the creation of marine protected areas, the port authority wants the committee to be aware of some important operational considerations. Shipping is an international industry largely governed by the conventions of the International Maritime Organization, or IMO, for short. Any changes would have to be aligned with and related to IMO or regional regulations.

It's our aim to be a world-leading port and to drive global change, but it has to be done in a way that fits into the international operating model. Otherwise our trading competitiveness could be impacted. The ships calling at the Port of Vancouver currently travel along a designated route that is adopted by the IMO. There are international rules that apply to the way in which ships navigate through designated traffic separation schemes. To ensure safety and environmental protection, all ships visiting the port are navigated by the BC Coast Pilots.

It will be important for the committee to ensure it is gathering all relevant information to fully inform its recommendations on marine protected areas, and for the committee to understand the international regulatory and competitive issues that will have influence. The Association of Canadian Port Authorities would like to be involved in any consultations and future discussions going forward as we can be a resource that can provide a port and commercial shipping operational perspective.

In addition, we know that Parks Canada is attempting to create a national marine conservation area, the Southern Strait of Georgia, which will encompass shipping lanes into the Port of Vancouver. Island anchorages used for vessels visiting the Port of Vancouver are also situated within this proposed area and could be impacted.

An offshore Pacific area of interest for consideration as a marine protected area was announced by DFO recently. This area is off the west coast of Vancouver Island, and we understand that the interim

focus of the designation is on contributing to the protection and conservation of the unique sea floor features, in other words, seamounts and hydrothermal vents, and the ecosystems they support.

Since vessels transit through this area on the approach to the mouth of the Strait of Juan de Fuca and Canadian and U.S. ports, we are interested in understanding whether and how vessel traffic will be taken into consideration in this designation.

The responsibility for Canada's federal marine protected area network is shared among three federal departments and agencies, with mandated responsibilities to establish and manage marine protected areas: Fisheries and Oceans Canada, Parks Canada Agency, and Environment Canada. There needs to be cross-departmental coordination on all new policies and programs focused on the protection so that we are clear of any potential ramifications on vessel-related activities in order to remain competitive.

I would like to take this opportunity to commend the government for the introduction of the oceans protection plan, which we believe has the opportunity to position Canada as a world leader in marine safety. The focus on environmental sustainability and responsible commercial use is truly commendable.

● (0905)

The Chair: Thank you, Mr. Wellstood. We appreciate that.

Joining us now, from the Indigenous Peoples' and Community Conserved Territories and Areas Consortium, is Mr. Eli Enns, the regional coordinator for North America.

Thank you for joining us, sir. You have an introduction of 10 minutes or less, and then we'll go into a round of questioning. The floor is yours, sir.

Mr. Eli Enns (Regional Coordinator, North America, Indigenous Peoples' and Community Conserved Territories and Areas Consortium): Thank you.

My name is Eli, and I'm from Clayoquot on the west coast of Vancouver Island. We're one of 14 Nuu-chah-nulth nations who have been along the west coast of Vancouver Island since time immemorial. I also associate with an organization called the ICCA Consortium. The ICCA Consortium is based in Geneva, Switzerland. It's a global association of indigenous peoples and local communities.

The goal of the ICCA Consortium is to enliven the commitments under the UN Convention on Biological Diversity. As you may know, in 1993 the international community made an agreement, a treaty, around the biodiversity crisis that this planet is currently experiencing. It was recognized in subsequent years, particularly in Montreal at the secretariat convention, at a joint meeting with UNESCO in 2010, that there are islands of biological diversity on this earth that coincide with islands of cultural and linguistic diversity. In my territory on the west coast of Vancouver Island, we have one such island or anchor of biodiversity and cultural and linguistic diversity. I work with communities throughout North America to support the ongoing existence of their natural selves. We support the indigenous peoples and the local communities of North America to continue to exist as natural selves in a balanced relationship with ecosystems and biodiversity. This is the work that the ICCA Consortium is forwarding.

In terms of the ocean, we're very interested in the Oceans Act. I want to talk about the Law of the Sea, the joint commons of the oceans. Canada is in a unique position now to be a good role model in the international community. We have to demonstrate leadership in the international community in terms of how we relate to the ocean and the resources in it. In Nuu-chah-nulth we don't think of these things as resources. We think of them as our relatives. We are whale hunters, and we have ongoing relationships with sea mammals and other life forms from the ocean. We want to be able to maintain those relationships over time, so the idea of marine protected areas is interesting to us. We think it's a step in the right direction.

Overall, we need to improve our economic relationship with the ocean. It's not been good. I don't know if anyone would argue with that. The proof is in the pudding, so to speak, in terms of the outcomes of our management relationship with the ocean. But it's not too late. There's still the potential for abundance. Through initiatives like marine protected areas, I think we can balance our economic relationship with the oceans.

In addition to being the regional coordinator for the ICCA Consortium, I also work with the University of Victoria. I'm a political scientist, and I study the evolution of language. I like the word "economy". It's related to the words "ecosystem" and "ecology". The word "economy" today has changed in the last 40 years, or so I'm told. I was only born in 1980, so this is not first-hand. Wiser people than me have told me that the word "economy" is used very differently. It has a shared origin with ecology and ecosystem: *oikos*, the house. Economy is the wise and prudent management of the house.

● (0910)

I look at these marine protected areas, and as a Nuu-chah-nulth person in particular, I know that we have a unique relationship with the ocean. However, I also see that marine protected areas need to be balanced with a healthier conception and practice of "economy".

For what it's worth, I am privy to Pathway to Canada Target 1, Canada's commitments to the international community, particularly Aichi target 11, which is the 17% and 10% to be under some sort of protected area measure by the year 2020.

I work with a variety of provincial, territorial, and federal governments, as well as indigenous peoples, national indigenous

organizations, and other experts, from initiatives like the Great Bear Rainforest, the tribal parks from Vancouver Island, and also other areas across Canada.

The process that's been demonstrated by Parks Canada and Environment Canada is a good role model for us in how we can advance marine protected areas.

It behooves us in the era of reconciliation, in a post-Chilcotin decision legal landscape, to move our language beyond consultation and accommodation. It's a simple twist of phrase, which can allow us to move forward in a more solid way with marine protected areas. The twist of phrase is going from "I will consult you and I will accommodate you", to "I will work with you in partnership, and I will hold off until we're at a place in our relationship where I can have your consent—that without pressuring you too much, I can have your consent."

This is the kind of relationship we're ready for as indigenous peoples in Canada. This is the kind of relationship that the ICCA Consortium fosters globally in its variety of engagements internationally.

Thank you very much for the time to present to you, and I look forward to any questions you may have.

Meegwetch, kleco-kleco.

● (0915)

The Chair: Thank you, Mr. Enns. I appreciate that very much.

Now we go to our round of questioning, going from one party to the other, from the government to the opposition to the third party.

Thank you for your opening comments.

To start, we're going to have Mr. Hardie, for seven minutes, please.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Thank you, Mr. Chair.

Thank you all for being here.

We had the distinct privilege just this last week of spending some time in the far north, up in the Northwest Territories. Some of your testimony is particularly timely, because we have an opportunity then to compare information that has come forward.

When we look at Nunavut, who is actually driving the creation of marine protected areas in your region? Who's initiating this work?

Mr. Jonathan Savoy: Thank you very much.

In regard to—

Mr. Ken Hardie: I'd like you keep your answers fairly short, if you can.

Mr. Jonathan Savoy: In regard to marine protected areas established under the Oceans Act, of course, the Department of Fisheries and Oceans is spearheading the work closely with Inuit organizations and organizations like ours at the Nunavut Planning Commission. Also, Parks Canada is pursuing the establishment of a large national marine conservation area in Lancaster Sound, for example.

Mr. Ken Hardie: Is there commercial activity under way in your part of the ocean? Is there commercial fishing?

Mr. Jonathan Savoy: Yes, there is.

Mr. Ken Hardie: By whom?

Mr. Jonathan Savoy: There are local groups.

The Baffin Fisheries coalition, I believe, is the name that operates in the Qikiqtani region of Nunavut. I believe that some amount of quota is allocated to southern fisheries as well.

Mr. Ken Hardie: So your fishery there is certainly beyond the subsistence fishery.

Ms. Sharon Ehaloak: Yes.

Mr. Ken Hardie: It is. Okay.

You say that protection is needed. From your description so far, given that most of the activity there is centred around the people who live there, what do you need protection from?

Mr. Jonathan Savoy: We have heard concerns regarding activities such as oil and gas exploration, seismic testing. In our discussions with communities, we've heard concerns about cruise ships and tourism disturbing marine mammals in particular. Those would be two examples that we're aware of.

Mr. Ken Hardie: All right.

So with natural resource extraction, is there a consensus in your community about whether or not that is a good thing for the local economy, or whether it needs to be totally banished? Or are you somewhere in-between?

• (0920)

Ms. Sharon Ehaloak: Thank you for the question, Ken.

Nunavut wants sustainable development that respects the culture and the wildlife and the need for protection so that the harvesting can be sustained. So they're looking for a balance.

Mr. Ken Hardie: Okay, fair enough.

Mr. Clark, you mentioned the lack of baseline science. One of the things that impressed us in our visit last week, including to Prince Rupert, was the amount of science and research that is actually being conducted by all sorts of people who don't know what everybody else is up to.

Did you get that same sense?

Mr. Brian Clark: I don't have a sense of a lot of significant work being done in applied science, insofar as how projects could affect habitat is concerned. There may be science out there, I understand, in a lot of the offshore stuff, but frankly the information available on Chatham Sound itself in terms of habitat down 200 metres, that sort of thing, is pretty scarce. It's certainly not enough to make a determination on any subsurface activity, unless you go out and study it yourself.

So the baseline is not there and, as a result, proponents are asked to provide two or three years with a baseline before they move on.

Mr. Ken Hardie: In some of the changes to the Fisheries Act about five, six, or seven years ago, there was I believe a swing in focus away from biodiversity to the commercial fishery. The commercial fishery and the maintenance of that was considered to

be the prime objective. Is that the basis of any of the work your company has done? Has your work been mainly focused on the commercial fishery as opposed to biodiversity?

Mr. Brian Clark: No.

DFO, Fisheries and Oceans, asked us to study all the fish, all the age classes, all the habitats in Chatham Sound, because they all contribute to the commercial, recreational, and aboriginal fisheries. So you can say they just target those fisheries, but they depend on everything else out there. So we study everything.

Mr. Ken Hardie: Mr. Enns, one of the things that impressed us about the approach in the far north was the consensus model that you mentioned, that people treat each other with a great deal of respect and things happen on a consensus basis. However, we found, certainly in discussing the issues on the west coast, that consensus would be more difficult to achieve there, because not everybody at the table has precisely the same interests. You have the ceremonial food and social fishery, but you also have the commercial fishery, and I take it that your first nations groups are involved in the commercial fishery as well.

So when those at the table don't share a common interest, how can we go forward? How would you go forward with the various groups and interests? Some of them have competing land claims with you. How would you suggest government go forward? What should we be thinking about to bring some resolution to this?

Mr. Eli Enns: Yes. Where I'm from in Clayoquot, we're living with a 300-year plan that was cast in 1914.

Mr. Ken Hardie: By whom?

Mr. Eli Enns: By Eddy Joseph, Jimmy Jim, Wickaninnish, and Muchnik. They are our *Ha'wiih*, our hereditary chiefs, and they have the responsibility of creating long-term planning processes. Currently, we're living within a 300-year time horizon that was forecast by them, but we also have started to generate a 500-year plan.

These plans allow us to do two things. One is to reach down and touch the bedrock jurisdiction in this country. The bedrock jurisdiction is the Constitution. I listened to a recent talk by John Ralston Saul at the University of Victoria, where he spoke about how the Constitution is the most broken law in Canada.

• (0925)

Mr. Ken Hardie: But do you—

The Chair: I'm sorry, Mr. Hardie, but I'm going to have to cut it there. Seven minutes is our maximum. You will get time throughout if you want to continue that thought.

Mr. Doherty, go ahead for seven minutes, please.

Mr. Todd Doherty (Cariboo—Prince George, CPC): Thank you.

I want to say thanks to all of our guests here today for providing their testimony.

I'm not quite sure how to say your last name. I don't want to mispronounce it.

Ms. Sharon Ehaloak: It is "EH-ha-lo-ak"—but it's easier to say "EL-oh-ak".

Mr. Todd Doherty: All right, I will probably....

Is it all right if I call you Sharon?

Some hon. members: Oh, oh!

Ms. Sharon Ehaloak: Yes, Mr. Doherty.

Mr. Todd Doherty: You can call me Todd.

I really appreciate your presentation. The document that you've provided for our committee, I think, is probably one of the best-thought-out ones we've seen to this point. I do have questions concerning it.

Do you feel that your planning commission has been consulted enough over this process?

Ms. Sharon Ehaloak: That's a difficult question to answer. Consultation has a varying threshold in the north. The commission takes consultation very seriously.

I believe that the departments have made good efforts to work with the commission, and Canada has given the commission good submissions. There are varying strengths within the parties, other parties, that affect the signatory of the land use plan. The capacity funding and the ability to deliver are throughout all our organizations, so—

Mr. Todd Doherty: I ask this because your premier is on record, in December, as saying that Ottawa's decisions are, in some form or fashion, negatively impacting Nunavut's future economic prosperity. Would you agree with that?

Ms. Sharon Ehaloak: I have no comment on that. The commission has a mandate for land use plans, and while the government is a signatory—

Mr. Todd Doherty: Okay. I'll go to the next question then.

With regard to your paragraph 5, that “the ecological components of interest are effectively conserved”, your assertion or comment here today is that in the land use plan that is being developed by your commission—and I believe that was in Mr. Savoy's testimony—you would like the Government of Canada to use this as part of its planning, moving forward, and to use this towards the target. Is that correct?

Mr. Jonathan Savoy: You're suggesting that the Nunavut land use plan will apply to the marine areas of Nunavut and that it will have conditions—

Mr. Todd Doherty: Who has participated in this planning process?

Mr. Jonathan Savoy: Communities throughout Nunavut, Inuit organizations, the Government of Canada, and the Government of Nunavut have—a broad spectrum.

Mr. Todd Doherty: Okay.

The Government of Canada has set a fairly aggressive target for marine protected areas by the end of this year and then going on to 2020.

For all of the panellists who are here today, would you agree that, by and large, the north coast of the province of British Columbia of Canada on the west coast, as well as the northern coast of Canada, is probably going to bear the brunt or the majority of these MPAs to

reach these targets? Would that be your assertion as well? That is to all of you.

Ms. Sharon Ehaloak: From a commission perspective—and not speaking for B.C., but for the Nunavut territory—yes, I agree that this plan is essential to have in place if Canada is going to meet its targets.

Mr. Todd Doherty: Okay.

How do you balance economics?

Mr. Savoy, you mentioned that 70% of your households are food insecure. How do you balance the environment versus economics, as Mr. Enns has mentioned? How do you do that?

Mr. Jonathan Savoy: That's a very difficult question, and one that the commission is tasked with dealing with on a very large scale, recognizing the sensitivity of certain areas and recognizing the need for economic development.

Mr. Todd Doherty: Okay.

Mr. Wellstood, regarding your comments about the shipping lanes, has the Fraser Port Authority been consulted on the moratoriums and the MPAs and the no-go and go zones with respect to any recent announcements? I believe your testimony was that it remains to be seen how that's going to impact your business.

● (0930)

Mr. Chris Wellstood: It has, very sporadically, I would say, on a haphazard basis. When it comes to the shipping lanes, what we notice is that the conservation area proposed by Parks Canada goes to the U.S. border, yet the shipping lanes are half in the U.S. and half in Canada, along the border. For us, it's hard to understand why it wouldn't go to the boundaries of the shipping lane and exclude the shipping lane, and why it would go to the U.S. border and incorporate slivers of the shipping lane.

Mr. Todd Doherty: Mr. Clark, go ahead.

Mr. Brian Clark: Right now, Prince Rupert has three navigation channels coming in. That's what everyone makes their plans on to get out to Triple Island and have safe passage. To date, we don't believe any marine protected areas are affecting that. It's just the feature.

Mr. Todd Doherty: Okay.

Mr. Enns, I really appreciated your testimony today. I grew up in Tsilhqot'in. Chief Joe Alphonse is a friend of mine. Roger William is a friend of mine. I am the member of Parliament for that area, and I know your area very well as well.

Would any of your community rely on commercial fishing for their livelihoods?

Mr. Eli Enns: Yes.

Mr. Todd Doherty: How would marine protected areas, or no-fishing zones, impact your community? Would those first nations that rely on commercial fisheries still have the opportunity to fish?

Mr. Eli Enns: What I'd like to bring to your attention is the historical outlawing of the fish weir. The fish weir is a very important kind of technology that is still available to us. It was used by our ancestors to responsibly manage ocean and particularly salmon resources. These kinds of source-based fishery activities were outlawed and replaced by interception-based fishing, which has created a lot of problems.

With marine protected areas, if we were going to create a Nuu-chah-nulth marine protected area, for example, we would continue to foster and enable the more responsible fishery activities, such as the fish weir.

Mr. Todd Doherty: Okay. Has your—

The Chair: Thank you very much, Mr. Doherty. Sorry about that.

Mr. Enns, thank you, again.

Mr. Donnelly, you have seven minutes, please.

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

Thank you to all our witnesses for providing their testimony today. It's very interesting.

Mr. Enns, what you were just saying at the end was very interesting, about a Nuu-chah-nulth MPA. It made me think, does the land claim or the area you call your nation extend into the ocean, and how far?

Mr. Eli Enns: Yes. It goes as far as our salmon go, into international waters.

Mr. Fin Donnelly: That's very interesting.

In terms of the process, something we have found throughout the consultation process that this committee has been doing is that there really isn't a defined process for MPAs.

Mr. Enns, you talked about the need for partnership and consent versus consultation and accommodation. In terms of the MPA process, can you recommend how the federal government could work with indigenous peoples—first nations, Inuit, and Métis—to achieve this end?

Mr. Eli Enns: Parks Canada has done a really good job of this so far. What they did was set a new table. They left a whole bunch of seats empty, and they asked the indigenous people to decide who would sit at the table. It has created a very good relationship.

The ECC and Parks Canada have been leading on the terrestrial side of target 1, and they've created a very sound process. It's called the indigenous circle of experts, and it will inform the work of the national advisory panel and the national steering committee for the pathway to target 1. The blueprints are available to you, and I think it would be a good idea to utilize it.

• (0935)

Mr. Fin Donnelly: Great. Thank you.

Mr. Wellstood, I have a similar question on the consultation process. We were just visiting Prince Rupert and the Port of Prince Rupert, and I was surprised to learn.... The first question is, is there a dedicated shipping lane, and is it a legal designation?

Mr. Chris Wellstood: Yes, there is a designated shipping lane from the entrance to the Strait of Juan de Fuca all the way to the Port of Vancouver. These are IMO-designated shipping lanes. So they are designated.

Mr. Fin Donnelly: And Canada respects that legal designation?

Mr. Chris Wellstood: It's through Transport Canada that these are legally designated. That is where the MTCS of the Coast Guard basically monitors and manages traffic.

Mr. Fin Donnelly: Thank you.

Do you have a recommendation for this committee on how the federal government could engage the port and ports and industry in the MPA process, given that we don't seem to have a defined process?

Mr. Chris Wellstood: That's correct, in that the approach is very haphazard and very opportunistic, I would say, toward port authorities or commercial entities, and that brings along challenges. The other thing is that if a port authority gets invited, there's one chair at the table, and that's the port authority, and there are many other interests around the table. The value of that voice around the table gets diminished by the number of seats around the table, the amount of airtime that you get. The CEO of the Prince Rupert Port Authority hinted at designating the international traffic lanes as areas that are managed differently from marine protected areas, and that they could basically meet each other. But to put a marine protected area over a traffic lane, and then legislate towards protecting the habitats basically makes the future uncertain. You don't know what's going to happen well into the future.

To answer the question, a process would be to validate the position of a port authority and commercial interests in an equal manner with other interests.

Mr. Fin Donnelly: In the last few minutes that I have I'll turn to the NPC. I have a bunch of questions, but I think you outlined or talked about pristine areas. Have these areas been mapped? If so, can you tell us if they constitute a percentage of the area, or what percentage of the Canadian Arctic Ocean?

Mr. Jonathan Savoy: We don't have mapped areas of pristine regions within Nunavut. Generally, in relation to the rest of Canada, there's much less activity currently in Nunavut, and I note that it could be interpreted as being pristine just due to the lack of activity compared to other areas.

Mr. Fin Donnelly: Do you think you could draw a line around those areas?

Ms. Sharon Ehaloak: Everything in the Arctic is pristine. We're one-fifth of Canada's land mass. We have critical habitat. We have to have a balance between job security, food security, our high costs, and our demographics. So from a commission perspective, achieving the balance, listening to the communities and where their values are, one could say that every area across Nunavut would have, if you want to define it, a pristine area or areas of importance.

Mr. Fin Donnelly: That's a good point. We didn't talk about the definition of "pristine". But if everything is pristine, are there any threats, then?

Ms. Sharon Ehaloak: There a number of threats. We know, for example, that ice is land-like eight months of year. There are recognized transportation routes between communities for harvesting and the ability to get out on the land to do harvesting, going from community to community. For important areas, such as where there are walrus haul-outs or ice floe edges where seals are pupping, if icebreaking or disturbances were taking place at particular times of the year, it would have a negative impact.

● (0940)

The Chair: Thank you very much, Mr. Donnelly.

Thank you, madam.

For clarification, Mr. Wellstood, you talked about the IMO. Do you mean that the International Maritime Organization has designation for those lanes?

Mr. Chris Wellstood: Yes.

The Chair: Okay. Thank you very much. I just wanted to clarify that.

Now we go to Mr. Finnigan for seven minutes, please.

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Thank you, Mr. Chair.

Thank you to the panel for being here.

I'm on the other coast, the east coast, but I was born in Vancouver, so I'm on both.

I guess we're all in favour of MPAs to protect the marine life and the tradition that has gone on from time immemorial, as you said, Mr. Enns, but we also spoke about land protection. Although that's probably not part of the MPAs, are we moving fast enough on that front in coordinating both the land and water?

I ask anybody to comment on that. Are we balancing the two, or are we behind on one front or the other?

Mr. Eli Enns: I think we're at about 11% on the terrestrial target, and we're at 0.9% on the marine target until the end of this year, I imagine.

I think on the terrestrial side we're doing okay.

Mr. Pat Finnigan: You're doing okay.

Go ahead, sir.

Mr. Jonathan Savoy: Thank you.

Without going into the larger terrestrial protection issue, I just reiterate our comment that in some cases there is a need to protect terrestrial portions of marine mammal habitat through marine protected areas—for example, walrus haul-outs. They exit the sea at certain locations and a terrestrial portion would be beneficial in that case.

Mr. Eli Enns: That is a very good insight, because the marine protected areas and the terrestrial side, from an indigenous perspective, have to communicate with each other better.

Mr. Pat Finnigan: To follow up on that, we know that the resource has started to dwindle on some fronts especially. In your experience, and your tradition, and in everything that you're seeing with what's happening today, what would you say is the biggest

reason? Is that man-made activity? Is it over-exploitation of the resource, or is it also climate change?

What is the biggest issue with protecting our waters and seals?

Ms. Sharon Ehaloak: From the commission's perspective, I don't think we can comment on the portions or the balance. I can tell you that climate change is having an adverse effect. It's changing the ice conditions. As we all know, there are open waters. We have a significant amount of traffic now coming through the Arctic that we never saw before, and it has had controversial impacts, some pro, some con, from communities' perspectives. We see that from the information provided to us through our community consultations.

There's a demographic change. I can't really give you the balanced answer, but clearly there are changes happening. We see a number of new species coming, both marine and on land. We see impacts on our caribou. We now have grizzly bears, grolar bears, and wolverines in different impact areas. We have the Greenland sharks coming up. We have killer whales, whales in areas that we've never had them before.

I'm now located in Iqaluit, but from where I'm from in Cambridge Bay, we never used to see whales there. We never saw grizzly bears. We've never had an invasive or predatorial species on Victoria Island. We do now. We now have polar bears and every kind of whale.

So everything is changing—the multi-year ice, the ice patterns—at a very rapid pace.

● (0945)

Mr. Eli Enns: Yes. From a Nuu-chah-nulth perspective, the heart of the problem is a dysfunctional world view, a world that sees things in pieces, a disconnected world view.

In our language, *heshook-ish tsawalk* is our way of understanding the interconnection of everything. I think whether it's climate change, or economic practices, or marine protected areas, at the heart of it we have to shift our world view to understand that everything is interconnected.

Mr. Pat Finnigan: So in your view, going back millions of years or however far—your elders could probably add a lot of information on this—there's no doubt that climate change exists. It's here. It's not just a trend in time. We've never seen that before. As you said, it's all interconnected.

Would you say that we also need to look at that aspect of it when we're considering protections like MPAs?

Mr. Eli Enns: Yes. In our language, *qwii-qwiq-sap* is the process of transformation that is happening. My elders assure me that the natural world will adapt. It will be fine in regard to climate change. We have to stop getting in its way. We have to stop doing harm. First, do no harm: this is the philosophy we bring to the work we do.

Mr. Pat Finnigan: Before I move on to the next question, I want to make sure I get this one in. *Meegwetch*: does that mean “thank you”?

Mr. Eli Enns: In Anishinabe it does, yes.

Mr. Pat Finnigan: I hear it used on the east coast also.

I know it's not related to this, but it's an international thank you, right?

Mr. Eli Enns: It is. It's becoming a trans-Canadian thank you.

Meegwetch.

Voices: Oh, oh!

Mr. Pat Finnigan: *Meegwetch.*

In terms of resources, do you see this having an effect on the community? Are you seeing the youth leaving, for instance, or other social effects? Perhaps you could elaborate on that and on if we don't do anything with the MPAs right now.

Mr. Eli Enns: I think when we have systematic violence against the earth, it creates violence within the communities. There's a high correlation between intensive primary industry activities and social degradation and domestic violence. My mother worked at a women's shelter for 25 years. She saw that correlation first-hand.

In terms of how it impacts the youth, we create instability within our communities when we don't have a balanced relationship with the environment. The MPA is one tool that is available to us, but we have to be creative in the way in which we approach this.

The Chair: Thank you, Mr. Enns and Mr. Finnigan.

Mr. Arnold, you have five minutes, please.

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

I'd like to thank all the witnesses for travelling great distances to get here. You're having to adjust to the time zones. We travelled as a committee last week to the Northwest Territories and out to B.C., and some of us may be still suffering a little jet lag. It's a big country, as we're finding out.

Ms. Ehaloak, in your earlier statements you questioned whether MPAs would have economic impact. When we were in the Northwest Territories, we heard that the indigenous people there weren't necessarily looking for economic gains from the creation of the MPAs. They were looking at protecting their cultures, their food. They simply didn't feel sustained properly on western or other North American food. They needed their muktuk and so on. That was their main reason for the MPAs.

You mentioned economic impact. Is there more of an interest in Nunavut to see economic gain for the local people?

Ms. Sharon Ehaloak: Thank you, Mr. Arnold.

It's a balance. Our demographic cost to be living in Nunavut, where Inuit have lived for thousands and thousands of years, in terms of food security, jobs, and economic opportunities, means that achieving that balance is of the utmost importance to Nunavummiut. That's what we heard in our consultations.

In terms of economic opportunities, I think as Eli defined, it's holistic. It's not just based on jobs. It's based on a healthy community. There's a balance. I can tell you that food security and jobs, and feeding our families....

I wish you had come to Nunavut, because we truly are God's country. You would have seen the poverty in our communities,

which is heart-wrenching. People here are saying, and the Inuit are telling you, that they need jobs, they need sustainability, they need food security, but they also need access to traditional foods. Traditional foods sustain our communities for the majority.

This may be off topic, but I just saw on Facebook that in Arctic Bay, for example, it's \$26.29 for two litres of milk. To access healthy food, we look to the land. We look to the sea. Traditional harvesting is still an inherent right. It is something that is very well respected with Inuit, as is having a future for our children with the changing times. Achieving a balance with our culture and our economics is the priority.

● (0950)

Mr. Mel Arnold: The economic opportunities certainly need to be considered when we're establishing MPAs, as well as the biological values we're looking to protect.

Ms. Sharon Ehaloak: Yes, it's a balanced approach.

Mr. Mel Arnold: Thank you.

Mr. Enns, in much of our testimony we've heard different criteria for what might be considered an MPA internationally or in Canada's eyes. What type of MPAs would be most effective in your organization and your local community's eyes? Would it be smaller onshore areas that may be important to spawning and rearing habitat, or is it larger areas, possibly offshore, or larger areas in general, that might be closed to all activity? What kind of input do you have that way?

Mr. Eli Enns: Yes, from an indigenous people's and local community's perspective the kinds of marine protected areas that are most desirable would be those that have a balanced perspective on sustainable livelihoods.

Within the area wherever you're creating the marine protected area, in a Canadian context for example, we were looking at the Constitution. Enlivening the Constitution creates harmony through the various other jurisdictions that co-exist with the Constitution.

Part of that harmony is about creating sustainable livelihoods. We have the opportunity to continue to maintain relationships with the resources within marine protected areas, but to do it in a way that's more consistent with the traditional governance, values, and principles.

Mr. Mel Arnold: Thank you.

The Chair: Thank you, Mr. Arnold.

Thank you again, Mr. Enns.

Ms. Jordan, you have five minutes, please.

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

I want to thank all of the witnesses for appearing. It has been extremely interesting, especially given that last week when we were in Inuvik, Paulatuk, and Tuktoyaktuk, we saw quite a few differences in how they approach marine protected areas even in those areas. Some were interested in development and ecotourism and then another area shut it all down; they didn't want any of that.

I'm interested in your perspective on that as well as on development, because we talk about jobs and how much you need that balance in Nunavut. Where is your line? They don't even want cruise ships in parts of Darnley Bay, or they don't want any ecotourism. Are you open to those type of measures for economic growth?

• (0955)

Ms. Sharon Ehaloak: Thank you. That's a very good question.

The commission's mandate is to compile all the datasets from the communities, the signatory parties, the interested parties, anyone who has an impact within the Nunavut settlement area. Our job is to bring forward all that information.

The staff have done that. The draft Nunavut land use plan process that's under way is now with the commissioners. The commissioners are hearing evidence and will make those final decisions. The mandate is for an anti-poverty plan that achieves balance among sustainable development, economic opportunities, and food for healthy communities.

Following our broad planning policy goals and objectives is the commission's mandate. I can't answer further.

Mrs. Bernadette Jordan: I understand.

Ms. Sharon Ehaloak: It's not my final decision. The commissioners will make those decisions.

Mrs. Bernadette Jordan: Okay. Once the Nunavut land use plan is approved and your recommendation number seven meets DFO's criteria, could it be considered part of the MPA process?

Has anyone discussed that possibility with DFO? Have there been any discussions with either Environment Canada or DFO about your targets or your plans to make protected areas, and could they be considered?

Ms. Sharon Ehaloak: I do not believe that discussion has happened.

Mrs. Bernadette Jordan: It's a good one to have.

Ms. Sharon Ehaloak: Yes.

Mrs. Bernadette Jordan: Mr. Clark, one of the things that we heard time and time again, not just in this study, but in pretty much every study we've done, is the funding capacity of DFO. I know that substantial investments have been made in science in the last year, especially in DFO with the hiring of 136 new scientists. Can you expand your comment about DFO's not having the ability to do the work they need to do and that they should be relying more on the proponents who do have that? I think that is what you said.

Mr. Brian Clark: Yes. It's a big country, so 120 or 160 scientists...

Mrs. Bernadette Jordan: It's a start.

Mr. Brian Clark: If you were in Prince Rupert, you'd notice that the DFO building has echoes and things like that. They have folks working out of Nanaimo. I think they're understaffed along the entire coast—and probably in all of Canada.

The science that is out there is from the 1970s. DFO did stuff in the seventies, and they haven't done anything significant, at least in the published stuff that's out there. This is the thing about

proponents. We do these studies but there is no set of requirements, that "You will do it this way". There are four or five LNG companies alone in the Rupert and Kitimat area doing studies. The DFO government just has to say, "This is what we want and this is the way it's collected." But all of a sudden you have five different companies spending \$10 million each per year. That's a lot of data. I see no reason that governments shouldn't be asking for data in a certain manner. It goes into a common database, and there's your research.

Mrs. Bernadette Jordan: Is there sharing ability available?

Mr. Brian Clark: Absolutely.

I've already provided all of ours to the Pacific Salmon Foundation and to the Vancouver Aquarium. It's raw data. You just ask for it. Right now what you get are finished reports. The raw data is available.

Mrs. Bernadette Jordan: Thank you.

Mr. Enns, another thing that we heard about while we were away, in this case from the Metlakatla nation, was the need to protect the land and the water together. You can't protect one without the other. I think they called it a symbiotic relationship. They go together. You also mentioned that and said that you've done a good job so far on the terrestrial side.

Does that spill over into how we're going to develop the MPAs in the marine areas? Do you think we have a good handle on how to go forward without both, or do they need more work?

Mr. Eli Enns: I think it could spill over.

I had the benefit of being invited to Halifax for a presentation by the Department of Fisheries and Oceans to the Mi'kmaq peoples. The language being used was that of consultation and accommodation. That's outdated language in the post-Chilcotin legal landscape. As my grandpa always said, you get more bees with honey than poop.

This is an opportunity for Canada to adopt a new language, and the Department of Fisheries and Oceans, in particular, when they're engaging with folks like the Mi'kmaq. I'll tell you right now there's a lot of distrust. It goes back to Burnt Church and a variety of other situations that have happened. I would say that it's highly advisable for the DFO to follow the kind of approach that has been taken on the terrestrial side in creating that space.

• (1000)

The Chair: We have Mr. Doherty for five minutes, please.

Mr. Todd Doherty: Thank you.

Sharon, how many times has the planning commission met with government representatives for face-to-face meetings?

Ms. Sharon Ehaloak: Well, lots. We meet on a regular basis. With the varying departments, some are more engaged than others, but Canada meets with the commission and provides good input on the plan regularly.

Mr. Todd Doherty: Great.

Mr. Enns, how many times has the government met with your community in face-to-face meetings and consultations?

Mr. Eli Enns: Well, if you say my community, I would say Nuu-chah-nulth is a bit of a prickly one because we had our Nuu-chah-nulth court case, and it hasn't yet been honoured. My chiefs and my elders say that we do want DFO to come back to meet with us and actually give life to the court decision.

Mr. Todd Doherty: Mr. Clark, I have the same question for you.

Mr. Brian Clark: How much has the government talked with us? Well, it was weekly working groups for awhile and then it got into monthly working groups. In the entire environmental assessment process, yes, it's working groups and all of the agencies.

Mr. Todd Doherty: Okay.

Can you talk about some of the voluntary measures or processes that your organization takes to conserve marine areas?

Mr. Brian Clark: Yes. A lot of the work that we've done was not requested. We've mapped all of the marine vegetation in the southern Chatham Sound and have set up a process so that you only need to take a satellite photo once a year and then monitor the growth and expansion or loss of marine vegetation throughout the lower Chatham Sound.

We've also contributed to the first nations up there, to the Skeena Area Marine Research co-operative. We've provided money for four different first nations to do work on eulachon. Also, we're contributing and assisting the local fish hatchery in expanding their capacity.

Mr. Todd Doherty: Was it your testimony that you submitted all of the data, as well as your reports and the studies you've done, to the government? Or hasn't it been requested at this point?

Mr. Brian Clark: No, all of our reports are submitted as part of the environmental assessment process, including others like the marine vegetation one. What they haven't asked for, and therefore don't have, is the raw data. That can go into other uses. Our reports just come to a conclusion. They refer to data, but we haven't supplied that. We have supplied it to other agencies such as the Pacific Salmon Foundation and the Vancouver Aquarium.

Mr. Todd Doherty: Mr. Wellstood, having promoted the Asia-Pacific gateway on the world stage to further Canada's transportation networks, I'm very well aware of the advantages we have through either your port or the Port of Prince Rupert and through our transportation corridors. How important is our geographical advantage in terms of shipping and the timing and schedules for us on the west coast?

Mr. Chris Wellstood: Our geographical location puts us very close to Asia compared to other North American ports predominantly to the south. That gives us a competitive advantage. Cargo moves more quickly into Vancouver and Prince Rupert, and then the rail connections go way into the U.S. Midwest. It's a great advantage for us as a port to be in a position to move Canada's cargo.

Mr. Todd Doherty: Mr. Savoy, a little earlier, I asked Sharon this question as well. We talk a lot about how we balance the environment versus the economic opportunities that can lift our communities up, provide the jobs, and provide the roof over the head

and stable conditions. I think this is a question that we all have to try to wrap our heads around.

Mr. Enns mentioned that there has to be harmony amongst all to be able to do that, but how do you balance that so we can lift up our first nation communities and our northern communities and still make sure that we're keeping our communities pristine, as you mentioned, or keeping our environment pristine?

• (1005)

Mr. Jonathan Savoy: Again, I'll note that it's a very large task to accomplish, and I don't have a concise answer for how you achieve that balance. I will just note that each area needs its issues to be looked at individually. For example, if one marine protected area is being considered, there are particular values that are interested in—

Mr. Todd Doherty: On that note, would you suggest, then, that perhaps rushing to reach a target, an arbitrary target, without due consultation or without having that weighted study behind it, I guess.... I think you need to have that study behind it before you can make those assertions and take those actions. Would that be correct?

Mr. Enns.

Mr. Eli Enns: I would say that I don't know if you need more studies, but you need more engagement with the various peoples.

The way I would answer your question is to say that through various technologies such as the fish weir.... My great-grandmother taught me about the fish weir. Her name was Mary Hayes. This was a technology that was used to meet our needs but also to cultivate more abundance in the system.

From a Nuu-chah-nulth perspective, economic engagement with the environment is not about sustainability. It's about creating more abundance in the system. It's like pruning a tree at the right time of year. It's possible to do that.

The Chair: Thank you, Mr. Enns.

Thank you, Mr. Doherty.

Mr. Morrissey, please, for five minutes.

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

My question is an accumulation of a number of the points raised by my colleagues and from listening to evidence given by a variety of witnesses. Do you feel that Canada, in the areas you represent, can establish MPAs of the no movement, no-take, and "do not touch it" variety?

Ms. Sharon Ehaloak: Wow. I think that—

Mr. Robert Morrissey: Because—excuse me—some groups that presented to us have advocated that an MPA is only an MPA if there's no disturbance, such as, traditionally, marine traffic, or any interference in the area.

Ms. Sharon Ehaloak: Nunavut is a unique area. Its demographics are unique. As we see climate change, our demographics are changing. MPAs can be managed in different ways depending on the seasons, the terms and conditions, and the values that are around the specific areas where MPAs are being proposed. It's very difficult to answer definitively with a yes or a no. It would have to be done case by case where the MPA is being considered.

Mr. Robert Morrissey: Each group, regardless of where they're at, whether they're east coast fishers, northern traditional hunters, or west coast first nations communities, all identify their areas as unique the moment they hear that these will be considered for an MPA. What I'm hearing from you is that an MPA must be managed.

Ms. Sharon Ehaloak: It can be managed. It also—

Mr. Robert Morrissey: But if you're going to manage it, that means, then, that you've discounted any activity at all in the area.

Ms. Sharon Ehaloak: Not necessarily.

Mr. Robert Morrissey: Oh. Explain. I'm curious.

Ms. Sharon Ehaloak: For example....

Do you want to do the specifics, Jonathan, like the haul-outs and beluga calving grounds, or do you want me to?

Mr. Jonathan Savoy: In our conversations with communities in Nunavut, they have expressed great interest, for example, in commercial fisheries. For example, if a marine protected area is being established to manage a particular impact on marine mammals, there may be interest in nearby communities to pursue fisheries for subsistence, or potentially for commercial activities as well, within that marine protected area that is managing impacts, again, on marine examples, speaking hypothetically.

• (1010)

Mr. Robert Morrissey: Mr. Enns.

Mr. Eli Enns: Yes, I think one thing you could look at is UNESCO's Man and the Biosphere Programme. Look at biosphere reserves. They have a core protected area and then zones of sustainable use. It's very similar to the approach to the Great Bear Rainforest, where you have conservancies and, emanating out from the conservancies, zones of ecosystem-based management approaches.

The no-go zone might be a sacred space, or it might be a particular part of that environment that has been highly taxed in previous years and you want to let it rebound. Emanating from that, you have these zones of sustainable use. I think the Man and the Biosphere Programme is very good. We need to pick it up in a more useful way.

Mr. Robert Morrissey: That's interesting. Thank you.

The Chair: Thank you, Mr. Morrissey.

Mr. Donnelly, please, for three minutes.

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

In terms of protecting the marine ecosystem, the committee has heard a lot about the concept of balance between economic growth and protecting the environment.

Mr. Enns, I'm going to go to your comment about the "dysfunctional world view". The federal government has departments and those departments have processes. Those processes are

not always connected to the international community, the provinces or territories, indigenous nations' processes, or to local civic regional processes. What would you recommend to the federal government when we're looking at the idea of protecting the marine ecosystems, with MPAs being one of the tools in the tool box, but recognizing this dysfunctional world view? Do you have a comment about how the federal government, with all its departments, could address this big picture world view that you're commenting on?

Mr. Eli Enns: Yes, the substructure underneath those various jurisdictions that aren't really communicating with each other very well is the Constitution.

For example, in Mi'kmaq country, they're apprehensive about marine protected areas. They have terrestrial protected areas and then they have marine protected areas. They're not communicating with each other. What they're looking at is creating a Mi'kmaq protected area. It will still be an MPA. It will essentially be like putting a blanket over both of them. The marine protected area and the terrestrial protected area need to communicate with each other.

We stood a totem pole up in Fish Lake, in Chilcotin. My uncle Tim Paul carved that totem pole. We're from Nuu-chah-nulth, where the fish are going out to the open ocean. In the Chilcotin the fish come up the Chilcotin River and they spawn there. They're completely interconnected.

What you have available to you is the Constitution, which could create the connective tissue between these disconnected phenomena.

Mr. Fin Donnelly: It's probably a big challenge for the federal government to address the Constitution through the MPA process. It's an interesting suggestion, though.

You talked about terminal fisheries, with the weir and the gear types. Again, that's a fundamental change between how you see Canada operating its fishery and what you're recommending. That's another huge problem. Do you have a recommendation? The committee often asks for definitions of protection. Are you talking about no-take zones? Are we talking about improving the management within the ocean to protect either our fishery or nature? These are two slightly different values or goals.

Do you have a suggestion about gear types and management versus no-take protection areas for biodiversity and nature?

Mr. Eli Enns: I think we could stimulate the economy by investing in ecosystem restoration. Put a lot of money into ecosystem restoration and stand down on interception activities. I know that will be hard to swallow for a lot of people. I wouldn't go so far as to recommend a moratorium. The terminal fisheries you mentioned and what my grandmother Mary Hayes taught me about are very practical ways to go about starting to purposefully manage, river by river, the fisheries we have available. In the front end of that, I highly recommend a front-end investment in ecosystem restoration.

• (1015)

The Chair: Thank you very much, Mr. Enns and Mr. Donnelly.

As we normally do when we finish earlier than anticipated, I'm going to open the floor to quick questions. I'm not inviting you to do a Q and A or a discussion, but if you have points of clarification, quick questions that are on your mind, please feel free to ask them.

Do I have anybody for quick questions?

Mrs. Jordan, go ahead.

Mrs. Bernadette Jordan: Mr. Clark, when we were in Prince Rupert one of the things we heard from the port authority was that the establishment of designated shipping lanes would be an added benefit, not only to the port but also to the marine protected area. Mr. Wellstood mentioned that they have designated shipping lanes in Vancouver. Do you see that as a benefit?

Mr. Brian Clark: I didn't know they weren't designated in Rupert. There are certainly routes that all the boats come in on. The pilots bring them in. Then there's the inland one for the ferries. I thought they were designated. I'm pretty sure they are, actually.

The Chair: Mr. Wellstood, did you want to comment on that?

Mr. Chris Wellstood: The main shipping route into ports like Rupert and Vancouver are crucial to the economy of Canada, and you need to identify them and almost protect them. They could go hand in hand with marine protected areas. If you neglect them and you blanket marine protected areas over specific areas, then you can end up with situations where different interests could hamper the economic growth and the movement of trade in Canada.

The Chair: Thank you.

Mr. Hardie.

Mr. Ken Hardie: Thank you, Mr. Chair.

Mr. Enns, I have a question for you. Up north, when we were speaking with the Inuit in the Northwest Territories, our observation was that their fishing techniques were moderately traditional. They didn't have the great big fishing boats out there. They hunted their whales from rather small vessels.

I have two questions. In your first nation, do you use, if you like, modern fishing techniques and gear to catch both your commercial and your ceremonial food and social fish? Second, of all the fish you catch, what percentage is commercial versus the other?

Mr. Eli Enns: We have the “mosquito fleet” on the west coast, meaning small vessels. Our source-based fishery has become non-viable because of the clear-cut logging of the salmon-spawning grounds. That's the quick answer.

Our traditional way of fishing was made illegal for many years, and it just recently—

Mr. Ken Hardie: That's the weir.

Mr. Eli Enns: Yes.

The Chair: Mr. Hardie, be very quick, please.

Mr. Ken Hardie: What percentage of your catch is commercial versus other?

Mr. Eli Enns: I would say 40%, if I had to give a quick answer on that.

Mr. Ken Hardie: Is that commercial?

Mr. Eli Enns: Yes, 40% is commercial.

Mr. Ken Hardie: Thank you.

The Chair: Mr. Morrissey.

Mr. Robert Morrissey: I'd just like to go back to the question you were answering on the biodiversity zones, which I found intriguing. Nobody has presented it in that way, the application of a protected area with different, you called it, “layers”, I believe. Could you elaborate on that a little bit more?

Mr. Eli Enns: The Man and the Biosphere Programme is a global initiative by UNESCO, the United Nations Educational, Scientific and Cultural Organization.

Every country domesticates the international programs it its own way.

Mr. Robert Morrissey: Do we have one in Canada?

Mr. Eli Enns: Yes, there is the Canadian Commission for UNESCO. We have 18 biosphere reserves across Canada. The most recently created one is in the Northwest Territories, called Tsá Tué. It is the only biosphere reserve in the world that was completely led by indigenous peoples.

Where I'm from, in Clayoquot, we have a fifty-fifty model. Half of the board of directors are Nuu-chah-nulth peoples and half are individuals from the municipality and Canadian society at large. It's a reconciliation model in Clayoquot Sound.

• (1020)

The Chair: Thank you, Mr. Enns.

Mr. Donnelly.

Mr. Fin Donnelly: Ms. Ehaloak.... Sorry—Sharon. I butchered it.

Voices: Oh, oh!

Mr. Fin Donnelly: Mr. Enns talked about the UNESCO biosphere reserve and that concept. Is that something you could see applying in your area?

Ms. Sharon Ehaloak: I'll ask Mr. Savoy if he has any opinion on that.

Mr. Fin Donnelly: I could have said “Savoy”.

Voices: Oh, oh!

Ms. Sharon Ehaloak: He is the expert.

Mr. Jonathan Savoy: Yes, we could see that applying within Nunavut. In fact, the plans that the Nunavut Planning Commission creates can establish different zones or designations with varying terms and conditions within them. That's part of something that has been ongoing for a number of years as we work to develop a land use plan for the whole territory.

Mr. Fin Donnelly: Thanks.

The Chair: Mr. Arnold.

Mr. Mel Arnold: Thank you, Mr. Chair.

I'd like each of you to answer if possible.

Has there, in your opinion, been outside international influence on the direction of MPAs, the creation of MPAs, from organizations such as the Tides Foundation, Greenpeace, and so on? Have these had influence on the areas of interest, the implementation, and so on?

Mr. Chris Wellstood: I would say that on the west coast, they have for sure. There's a big interest by different foundations in, let's say, the processes on the west coast. So the answer would be yes.

Mr. Brian Clark: It's the same in Prince Rupert. The big NGOs and others are there, certainly with our project.

Mr. Jonathan Savoy: I can't speak confidently about the involvement of international participants within Nunavut, but I do note that DFO's recent engagements with Nunavut have involved direct contact with the regional Inuit associations and organizations like ours. DFO has been holding a number of meetings and workshops to identify areas of interest for marine protected areas within Nunavut, and those have had significant involvement from people within the territory.

Mr. Eli Enns: There's a whole cast of characters who come around the west coast, including the ones you speak of. We've created a process of engaging under certain ethical parameters so that the money they put into the system isn't creating too much influence towards their own personal agenda but working with the local interests of indigenous and local communities.

The Chair: Thank you, Mr. Enns.

Mr. Doherty.

Mr. Todd Doherty: Mr. Clark, could you tell me a little bit about your company's first nations engagement? I believe you have partnerships with some of the local first nations.

Mr. Brian Clark: Yes. We are directed by government as to which first nations require "big C" consultations, and those are the Tsimshian peoples along the coast and up to Terrace. We have agreements with all six of them, some confidential and some not. We do have agreements with all Tsimshian. The other first nations upriver we advise or give information to, but it's not true consultation.

Mr. Todd Doherty: Mr. Enns, you have a successful commercial fishery in your area—

The Chair: You can have only two questions.

Mr. Todd Doherty: Sorry.

—a company that is doing some great work. I was reading about it. It's called ThisFish, and it's a trackable system, from ocean to plate. Can you tell the committee about that?

Mr. Eli Enns: It's a fantastic program that's being led primarily by Ecotrust Canada. It's a chain-of-custody program in which you essentially have a bar code. The guy or the gal who fishes the fish tags the fish. It has a bar code, and it travels through the chain of custody to the consumer. The consumer is able then, if they're interested and they have time, to zap the bar code and then look into everyone who has touched that fish since it was caught, so they see where and when it was caught.

The Chair: Thank you, Mr. Doherty.

Thank you, Mr. Enns.

Thank you to all of you. This concludes our round of questioning and your presentations here today. I want to thank you.

As was mentioned, you have travelled a long distance, and we truly appreciate that. Towards the end of the year we will have a report tabled that you can see. We're travelling to the east coast this coming fall. I hope you look forward to our report at that time. We thank you again.

Mr. Wellstood, Mr. Clark, Ms. Ehaloak, Mr. Savoy, Mr. Enns, thank you indeed.

We're going to break for five minutes and have an in camera meeting following that. Thank you.

[Proceedings continue in camera]

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