



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

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

---

FOPO • NUMBER 079 • 1st SESSION • 42nd PARLIAMENT

---

**EVIDENCE**

**Monday, November 27, 2017**

—  
**Chair**

**Mr. Scott Simms**



## Standing Committee on Fisheries and Oceans

Monday, November 27, 2017

• (1700)

[English]

**The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)):** Finally, we can start this meeting. I want to extend our sincere apologies to our guests, not just the two in front of us, but the two to follow as well.

This is what we're going to do, colleagues. I understand that some of you have to leave. We do have votes again tonight at approximately 6:45. How about we do one hour, from 5:00 to 6:00 Eastern Standard Time?

I know you can't stay, but there won't be any votes or anything of that nature. I'll make sure it's comfortable.

I would just like to hear from the other group as well. I think this is the opportunity. We can afford a half an hour for each group to do their 10 minutes and then we do 20 minutes of questioning. We can divvy it up seven, seven, seven, or at least close to that, and then start into the next one. We're starting shortly before five.

Mel, do you have something to say?

**Mr. Mel Arnold (North Okanagan—Shuswap, CPC):** Mr. Chair, yes, I have to leave at 5:30 for a previous commitment. I believe Mr. Miller does as well, so we would not be able to get equal questioning time in.

I'm happy to stay. I would certainly love to hear from our witnesses, but if we're going to try to be—

**The Chair:** The problem with that is we need one Conservative to be present. Do you know anyone who can get here?

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** I can stay for some of it.

What I was going to suggest, Mr. Chair, is that we hear from all of our witnesses. At least we hear their testimony. It's not our fault the votes happened, but I think to be considerate to our presenters, we should let them all speak, and with whatever time we have afterward, we'll ask questions. That is my suggestion.

**The Chair:** Yes, I understand that, but I'm just trying to make lemonade out of the lemons we've been served because, quite frankly, the only thing I disagree with is the fact that it's no fault of our own. Votes are caused by all parliamentarians. Therefore, as a parliamentarian, and not as a party person but as a parliamentarian, I'm trying to accommodate our guests. If we can get 5:30 to 6:00 in, apparently we're not going to have the two of you, which causes me some concern.

Just a minute. We need one member from the opposition, which is basically what the rule is. My apologies; I misread it. So we have Mr. Stetski here, and we can do that. I apologize to my Conservative colleagues.

Mr. Miller, go ahead.

**Mr. Larry Miller:** I can stay for some of it, Mr. Chair.

**The Chair:** I would truly appreciate it if you could—

**Mr. Larry Miller:** I'll stay for as long as I can.

**The Chair:** —stay as long as you can.

With the indulgence of other members, can I just go against the standing orders for a moment and give Larry the floor to begin with for his seven minutes?

**Mr. Robert Morrissey (Egmont, Lib.):** Sure.

**Some hon. members:** Agreed.

**The Chair:** Thank you, folks. I really appreciate that.

In saying that, we always introduce and identify our guests. We have a special guest today. From the beautiful riding of the Northwest Territories we have Mr. Michael McLeod with us. Thank you very much, MP Michael McLeod, for being here.

We also have another McLeod joining us by video conference. First of all, Minister McLeod, I want to say thank you for your patience, and to Mr. Dragon as well.

Could you please start with your statement for up to 10 minutes, and then we'll have some quick questions.

Can you hear me, first of all?

**Hon. Robert C. McLeod (Minister of Environment and Natural Resources, Government of the Northwest Territories):** Yes, we can.

**The Chair:** And we can certainly hear you.

Please begin.

**Hon. Robert C. McLeod:** Thank you for the time.

Good day to our MP, Michael McLeod.

I'm here today to bring to your attention the Government of the Northwest Territories' concerns with Bill C-55, an act to amend the Oceans Act and the Canada Petroleum Resources Act. In making this presentation, I will be sharing with you some of the recent history of the Northwest Territories so that you can hopefully understand both our specific concerns and the cumulative impact of federal actions, including Bill C-55, on the people in the Northwest Territories.

The Government of the Northwest Territories supports self-determination of indigenous people and indigenous government, and has developed a public government with self-government in mind. We have been at the negotiating table with Canada and indigenous governments from the territories for many years negotiating land claims and self-government.

Of particular interest to this intervention is the Inuvialuit Final Agreement, which created the Inuvialuit settlement region and was signed by Canada, the Inuvialuit, Northwest Territories, and Yukon in 1984. The signature of the current Prime Minister's father is on that agreement. I'm also a beneficiary of the Inuvialuit Final Agreement.

On April 1, 2014, the Government of Canada and the Government of the Northwest Territories brought into force the Northwest Territories Land and Resources Devolution Agreement. This agreement was negotiated over many years, and finally gave the Government of the Northwest Territories responsibility for onshore land, water, and resource management. Prior to our 2014 devolution, the federal government made all resource management decisions in the territory.

For the people of the Northwest Territories and the nine indigenous governments that signed onto the agreement, devolution was a game-changer. Devolution meant that decisions about the Northwest Territories land, water, and resources would finally be made in the Northwest Territories. This is something the vast majority of Canadians take for granted. The engagement of first nations, Inuit, and Métis governments, and inclusion of resource revenue sharing was historic.

What does this have to do with Bill C-55? Section 3.20 of the devolution agreement contains a commitment for Canada, the GNWT, and the participation of the Inuvialuit Regional Corporation to commence negotiations for the management of oil and gas resources in the Beaufort Sea and other northern offshore areas. This commitment includes a negotiation of resource revenue sharing resulting from offshore oil and gas development.

Negotiations were to start 60 days from the signing of the devolution agreement, which occurred on June 23, 2013. That means the negotiations should have begun no later than August 23, 2013. Despite repeated requests from both the GNWT and the Inuvialuit Regional Corporation, the federal government has not been willing to sit down to negotiate this critical agreement.

On December 20, 2016, the Prime Minister called my premier 20 minutes before announcing that all Arctic Canadian waters were indefinitely off limits to future offshore oil and gas licensing. "Indefinite" was the word the Prime Minister used, and neither the yet-to-be negotiated interests of the Government of the Northwest

Territories nor the rights of Inuvialuit were taken into consideration prior to that decision being made.

This is despite other provisions in a separate agreement included in the devolution agreement, and signed by then Minister Valcourt, Premier McLeod, and Nellie Cournoyea, chair and CEO of the Inuvialuit Regional Corporation, that states the parties will share information around terms and conditions of licences as well as any other petroleum resource management matter that the parties consider appropriate to share. Surely, an indefinite moratorium fits the description of appropriate information to share through our trilateral committee. It concerns us greatly as a government that despite a clear commitment to negotiate the management of the offshore, including resource revenues, Canada made a unilateral decision to shut down development in that area.

Yes, the announcement also said there would be a five-year scientific review, but almost one year later, we still don't know exactly what will be included in that review. In addition, as a direct result of the federal government's refusal to begin negotiations on the offshore, the NWT has no clear role in the review of a decision that clearly impacts the livelihood of our people.

Now Bill C-55 is on our lap, proposed legislation that will once again impact the offshore.

● (1705)

Bill C-55 has made its way through second reading in the House of Commons and contains a significant increase in ministerial power and authority, and yet again, the GNWT was not consulted on its development. Specifically, we are very concerned with the amended ability for the Minister of Fisheries and Oceans to designate marine protected areas by order and without consultation. We are also concerned that the amended bill will give the appropriate minister under the Canada Petroleum Resources Act the ability to simply cancel an oil or gas interest in an area that may be designated as a marine protected area.

Let me recap for you. The federal government is still refusing to fulfill its commitment to come to the table to negotiate the management of oil and gas resources in the Beaufort Sea with the GNWT and the Inuvialuit Regional Corporation. While actively avoiding this commitment, the Prime Minister announced an indefinite moratorium on Beaufort and is creating a process to review this moratorium without allowing the GNWT to define its jurisdictional interest and significant increases in federal ministerial authority that have been added to both the Oceans Act and the Canadian Petroleum Resources Act in Bill C-55, which is making its way through parliamentary review again without any consultation with the GNWT. This is being done in the absence of any clear federal communication of the revision for the Arctic. Although the Prime Minister announced the development of an Arctic policy framework at the same time as he announced the moratorium, the federal government has not given the policy framework the same momentum as Bill C-55. We are involved in the Arctic policy framework and look forward to seeing our priorities reflected in it.

We think there's a very real possibility that prior to a clear statement of Canada's vision for the Arctic and prior to the required consultation, Bill C-55 will become the law of the land. Similar to our position prior to devolution, we are being relegated as bystanders in decisions that affect the very livelihood of our communities. I do not want to give the impression that the GNWT does not support conservation. Many of our residents continue to pursue traditional lifestyles. In many cases hunting, trapping, and fishing are a predominant source of income and food for NWT households.

Conservation is integral to our way of life in the NWT. We also live daily with the legacy of decision-making far from home prior to today's robust regulatory regime. The NWT is home to one of Canada's most toxic waste sites. If the current contents of Giant mine were to enter the water system, there is sufficient arsenic there to kill the entire world population 10 times over. For that reason the GNWT is on track to surpass the 17% Canada target 1 conservation target for 2020. Once the planning and decision-making processes are completed, the Northwest Territories conservation network will extend from 13.5%, which is its current size, to 20.4% of the territory. The NWT offshore is also currently home to two marine protected areas, the Tarium Niryutait and Anguniaqvia. I was a beneficiary of the Inuvialuit Final Agreement. Protected areas and the marine portion of our territorial protected areas cover about 5,300 square kilometres of the Inuvialuit settlement region.

In addition to conservation, it is important that NWT residents are provided with every opportunity to enjoy a good quality of life. Every northerner deserves the opportunity to experience the wellness and strength of community that people equate with Canada and with being Canadian. The Government of the Northwest Territories has a clear vision of what is needed to achieve this bright future for the people of the Northwest Territories, but the reality is that right now, this is not the experience of indigenous people living in NWT's remote communities. The Government of the Northwest Territories is working to change this. We are working to lower the cost of living and increase community wellness and quality of life in each of our communities. The key to achieving this vision is sustainable development through economic diversification and developing our many natural resources that can be used to drive the global green economy.

• (1710)

We understand that opportunity and personal and community wellness are derived from education attainment and good jobs, which are integral aspects of reconciliation. Achieving our vision through sustainable economic development will create these opportunities in each of our communities. We need a strong federal partner who wants to be part of creating this positive future for all of our remote communities in the NWT, including the infrastructure that most of the rest of Canada takes for granted.

For centuries, people have been coming north looking to take advantage of its natural resources, and northerners have had to adapt to these demands. At one time it was for whale oil and fur. Right now it is for diamonds. Our people had hoped that oil and gas would be part of that story too, but it appears that southern tastes and priorities have changed again. As a result, northerners are being asked to sacrifice their hopes for good jobs and a strong economy yet another time because of decisions made elsewhere.

**The Chair:** Minister McLeod, if I could just interrupt you for one second, we're quickly running out of time.

If I could get you to sum up in about 30 seconds or so, you could work your comments into the answers to questions, if you feel you've missed something.

**Hon. Robert C. McLeod:** In summary, for your purposes today, I need to leave you with two thoughts for your consideration.

First, the GNWT has concerns with Bill C-55 as drafted, specifically the increase in unilateral authorities given to federal ministers.

Second, the NWT, although cold and remote, is a real place with 44,000 people living in it in 33 communities, who right now are living with the cumulative impacts of your decisions. It is easy to say from Ottawa that there has not been real economic impact from this decision because your budgets are on a scale that doesn't show the economic impact that even a \$7.2-million decrease in activity, as the federal government has described, can have in a region like the Beaufort Delta.

It is easy from where you are to miss the importance residents place on the money coming from outside of government. You may not feel it there, but the unfulfilled federal commitment to negotiate responsibility for the offshore with the Government of the Northwest Territories and the Inuvialuit Regional Corporation, the imposition of a moratorium, and Bill C-55 arriving in Parliament without our consultation are all connected. They have created a cascade of mistrust that we are asking you to recognize and begin to repair.

I'll stop there. That was a little more than 30 seconds. I have a bit more, but I think we'll just go—

**The Chair:** No, I understand. We're all a bit rushed today given the circumstances that we're under.

I was just reading your statement to us. You had a couple recommendations near the end. Is that correct?

• (1715)

**Hon. Robert C. McLeod:** Yes, I did.

**The Chair:** Could you please read those, if you wish?

**Hon. Robert C. McLeod:** I can do that.

I am asking you today to take the first step in beginning to repair what could and should be a strong relationship between the federal government and the Government of the Northwest Territories. This step is to ensure that there is northern indigenous involvement in key decisions that impact northern lives, including traditional activities. This action supports reconciliation and shows respect for both the Government of the Northwest Territories and existing agreements with indigenous peoples in the NWT. Please uphold this country's strong commitment to consultation, amend Bill C-55 to ensure that federal ministers do not have the unilateral authority to make decisions about Canada's marine environment without consultation, and ensure that there's proper consultation processes for Bill C-55.

Thank you very much.

**The Chair:** Thank you. I'm sorry. I didn't mean to coach you along there. It's just that the copy of your speech you gave us is only in one language, so I can't distribute it to the members. I just thought that the last part with the recommendations was something you'd want to include. Otherwise, without your saying them at this committee, they wouldn't be included.

We're going to go to questions. I'm going to use my own discretion on timing; I hope you don't mind. I know there are seven minutes, but I'm going to shave it just a little bit towards five if that's okay with everyone.

Can I have everyone's permission to circumvent our own standing orders?

Okay, Ken Hardie, you have five minutes, please.

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

Thank you, Minister McLeod.

The status of the offshore moratorium on oil and gas is that it remains. Maybe you can enlighten me as to how long that moratorium is supposed to be in place.

**Hon. Robert C. McLeod:** The moratorium is supposed to be in place for five years, and I think we are a year and a half into it right now.

**Mr. Ken Hardie:** Bill C-55 gives the minister discretion to basically put in place an interim marine protected area, have a look at it for five years, and then decide whether it's going to go ahead.

Our understanding—and I want to see if it matches your understanding—is that within those five years, the activities that are currently under way would continue. In other words, even though there might ultimately be discussions about no-take zones, etc., if there are activities currently under way, they would continue within that five-year interim period.

Is that your understanding?

**Hon. Robert C. McLeod:** My understanding was that once the moratorium was put in place, everything stopped, and then it would be reviewed after five years.

**Mr. Ken Hardie:** That's not actually the intention. The intention is that whatever is going on today would continue, but things that might go on, for instance oil and gas exploration, would not be allowed to go forward. That's a point that actually a number of

people have missed in the interpretation of this bill. It's understandable, because we've had a lot of discussions here at this committee about marine protected areas and what that actually means. This is sort of a halfway step toward that.

When you look at the impact of a decision, even on an interim marine protected area where current activities are allowed to continue, do you see any other negative impacts on your communities of simply maintaining the status quo?

**Hon. Robert C. McLeod:** There's no work going on presently, just because of market demands. When it shut down, though, we did see the impacts on our community, especially in the Beau-Del, where people have worked in the industry for pretty well their whole adult working life. There was a real impact on people in the communities.

**Mr. Ken Hardie:** The potential, I presume, is oil and gas extraction. Is that your understanding? Is that really the main potential that there will be discussion about up in the far north?

**Hon. Robert C. McLeod:** We have oil and gas deposits up here. We have natural gas in the Beau-Del in the trillions of cubic feet that we can't get to market. It's all trapped in the ground. There was talk a few years ago of building a pipeline for shipping. By the time the joint review panel concluded their two years' worth of review in five years, the price to build a pipeline had made it economically unfeasible and the market was down as well, so they didn't proceed with it.

● (1720)

**Mr. Ken Hardie:** At this point, Mr. Chair, I'll share my time with MP McLeod.

**Mr. Michael McLeod (Northwest Territories, Lib.):** Thank you.

Hello, Robert. How are you guys doing? I thought you guys might be here in person, so I rushed over. It's good to see you on TV.

I have a couple of things. You are aware, of course, that there has been a bunch of work contracted out through the IRC for scientific review. There are also a number of potential contracts that are being considered for work that's going to be needed to look at putting in navigational aids and markers, looking at Coast Guard presence, and trying to develop a spill response mechanism so that if anything is happening in the Beaufort Delta, we'll be able to react. You are also aware that two years ago, we had 30 ships come through that channel. Right now, we don't have any oversight.

I am wondering if there have been any discussions between you and IRC, the Inuvialuit, as to the work they are undertaking on the scientific side of things. My understanding is that they want more time, and they want more money. The review is just not going to go far enough, according to them.

**Hon. Robert C. McLeod:** Thanks, Michael.

We had hoped to be down there in person, but we are in business planning right now and things are quite [*Inaudible—Editor*] here. We appreciate this opportunity to present by video conference.

On our discussions with the IRC, we haven't really been able to sit down with them yet to review some of the work they have done and how it might work with some of the work we hope to get done. I take your point that there is going to be an increased need for looking at the coastline with the ships that are going through. Whether that replaces the work that went on during the—

**Mr. Michael McLeod:** My understanding is there's—

**The Chair:** Mr. McLeod, I'm sorry, but I'm going to have to shorten your time a bit. We're really out of time. I usually allow the person you ask some time to finish if he's....

Minister, are you finished with your comments?

**Hon. Robert C. McLeod:** I am.

**The Chair:** Okay. Sorry about that, Mr. McLeod.

We're now going to Mr. Arnold, please, for five minutes.

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

I want to thank both our witnesses, Minister McLeod and Mr. Dragon, for being here today and being patient with us. It was a trying afternoon for all of us here.

Your discussions have focused a lot around oil and gas development. I'm just wondering if there's also the opportunity or possibility for mining operations. We see in other areas of the north there are mining operations in the ocean for gold and possibly other minerals.

Are those a possibility for revenue generation for the Northwest Territories as well?

**Hon. Robert C. McLeod:** In the southern part of the Northwest Territories, there are a number of developed mines, so they're doing the work there. I know a few years ago in the community of Paulatuk, which is in the Inuvialuit settlement region, they were doing some exploration for diamonds as well. I'm not sure how that work went because they had not reported on anything, but they said there were some positive signs there and we were hoping they were to develop it. Any opportunities we have to develop our industry other than oil and gas we most certainly will take a look at, and we welcome.

**Mr. Mel Arnold:** On the creation of MPAs, what activities do you see that typically take place in or on our oceans that generate significant revenue, especially in the Northwest Territories?

**Hon. Robert C. McLeod:** Offshore oil and gas drilling would be the biggest creator of revenue. We don't have a fishing industry off the Beau-Del coast. They tried a pilot project a few years ago. They brought in a boat and tried to do some private fishing. I'm not sure what the results were. It was a private enterprise. I don't see the boat there anymore, so I'm assuming that it didn't go as well as they had anticipated. Then there's tourism. We just opened the Inuvik Tuktoyaktuk Highway, and if any of you have an opportunity, you'd better get up there and take a drive. It's an absolutely gorgeous piece of work. That's going to increase the tourism potential and the number of Canadians getting up to Tuktoyaktuk like you wouldn't believe.

• (1725)

**Mr. Mel Arnold:** Thank you for mentioning that. When we were in Tuktoyaktuk, one of the concerns was the highway and it was

going to bring in tourism and tourists with their own private boats and so on.

Part of the MPA that had been created up there, in consultation with the community, was to protect the indigenous harvest of beluga whales, and so on, and they're concerned that tourism coming into that area could have a negative impact and a negative public relations issue for them.

Do you see that MPAs could be a possible bonus or deterrent to current indigenous practices, especially considering that the interim measures within Bill C-55 only take in the last years of activities within the areas of interest?

**Hon. Robert C. McLeod:** I'm not sure how much of an impact all the tourists coming to Tuktoyaktuk may have on their traditional activities. The Inuvialuit Regional Corporation have very strong management boards and they take great steps in protecting a lot of the management under their watch, so it may have some.... It's hard to say right now, but I think the Inuvialuit Regional Corporation and the community of Tuktoyaktuk will go to great lengths to protect their traditional lifestyle.

**Mr. Mel Arnold:** Could any other significant revenue sources be considered if MPAs are put in place and would exclude oil and gas or mining development?

**Hon. Robert C. McLeod:** Through the territorial government, they've been working on their economic opportunity strategy trying to come up with plans for different types of revenue generation in a lot of the communities, but people will try to develop a lot of local economies. There's not much to be said for trapping anymore and the economic benefits it will bring. It does bring a lot because we have a fairly good system in place.

**The Chair:** Thank you, Minister.

Thank you, Mr. Arnold.

Go ahead, Mr. Stetski, for the remainder.

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Thank you, Mr. McLeod and Mr. Dragon. Again I express appreciation for your patience this afternoon.

As you know, Canada has signed onto the Aichi agreement, the target of which is to set aside 17% of Canada's land and 10% of our marine areas by 2020, and on the marine side, we're just a little over 3% now nationally.

Some of the testimony I heard when I was with the environment committee was that marine protected areas would help protect traditional ways of life for indigenous people. From your perspective, what would need to happen for marine protected areas to be desirable? What is your perspective?

**Hon. Robert C. McLeod:** From our perspective, we value our marine areas in the Northwest Territories, in the Beaufort Delta. Over the years since oil and gas was first discovered in the Beau-Del, the people living in the Beaufort delta have done a fine job of balancing the economic opportunities with the traditional lifestyle we've had and continue to have.

We have meetings quite regularly with the Inuvialuit Regional Corporation, so the quick answer to your question is that we value our offshore.

**Mr. Wayne Stetski:** Assuming there are new marine protected areas established in the Arctic, what do you think the role should be of the indigenous guardian program in terms of helping enforce rules and regulations in marine protected areas going forward? Should that be part of Bill C-55 explicitly, guaranteeing a future for indigenous guardians going forward?

• (1730)

**Hon. Robert C. McLeod:** We have had some discussions on the guardianship program, and there is a lot of value to that. As I said earlier, Wayne, the Inuvialuit through their management boards with the Government of the Northwest Territories through our environmental and natural resources division are all quite aware of some of the impacts that some of the decisions might have. The guardianship program is an interesting one. It's one we're pursuing because we've heard from a couple of other indigenous organizations in the southern part of the Northwest Territories that would like to have that program. I believe there is some federal interest in that as well.

**The Chair:** Thank you very much, Mr. Stetski.

If I were the Governor General, gentlemen joining us by video conference, I would give you the Order of Canada based on your patience alone. I want to thank you so very much, Minister McLeod and Mr Dragon. All the best to you and all your future endeavours.

We will have a very short break. As soon as we're ready for the next setup, we'll start right away.

• (1730)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1730)

**The Chair:** Welcome, everyone. Pursuant to the order of reference of Tuesday October 17, we are here to discuss Bill C-55, an act to amend the Oceans Act and the Canada Petroleum Resources Act. After it received support at second reading, here we are with committee analysis.

I will introduce our two guests. First of all we have, from the BC Seafood Alliance, Christina Burridge, executive director. I believe you've been at this committee before.

• (1735)

**Ms. Christina Burridge (Executive Director, BC Seafood Alliance):** Once or twice—

**The Chair:** There you go.

From the Coastal First Nations Great Bear Initiative we have Paul Kariya, senior policy adviser. That's a group that certainly is no stranger to us.

Very quickly, colleagues and guests, we are very pressed for time. We apologize greatly for the delay due to votes in the House. I'm going to ask you to speak for up to 10 minutes. If you can scale back from 10 minutes, we would really appreciate it, but nevertheless, you do have your 10 minutes to talk about Bill C-55.

Ms. Burridge, we're going to start with you.

**Ms. Christina Burridge:** Thank you, Mr. Simms.

The BC Seafood Alliance is an umbrella organization whose 16 members represent about 90% of wild harvested seafood from Canada's west coast, worth about \$850 million annually. Our

members are associations representing virtually every major wild fishery in B.C. We are, by far, the most representative fishing organization on the west coast, and our ultimate constituents are commercial fishermen up and down the coast. These are the people who provide food to Canadians and the world.

Thank you for inviting me here today to give our perspective on Bill C-55. We believe MPAs are part of the marine management tool kit, and we support the marine conservation targets. We remind you, however, that sustainable development is one of the three key principles of the Oceans Act and that MPAs are created, in part, to conserve and protect fishery resources. The purpose of the Oceans Act, and therefore MPAs, is not to eliminate commercial fishing, as some of the witnesses have essentially proposed.

One of your witnesses last week contended that the greatest threat to our oceans is the removal of billions of tonnes of biomass. That may be true globally, but it is not true for Canada. On the west coast, landings were about 160,000 tonnes annually. Pollution, habitat destruction, and climate change are far greater threats, and MPAs will do little or nothing to alleviate their effects.

Canada has already met the target of protecting 5% of its coastline by the end of this year. It will easily meet the second target of 10% by 2020.

I understand you have a copy of this map in front of you. Very quickly, the little yellow closures are rockfish conservation areas. The green ones are sponge reef closures. Then we have the Gwaii Haanas national marine conservation area and the Scott Islands national marine wildlife area just off the top end of Vancouver Island. We have the Bowie seamount, which is now fully closed to fishing. We have the huge offshore area of interest. We have, coming up, the national marine conservation area in the southern Strait of Georgia. We're also looking at an MPA network in the northern shelf bioregion, which is the most valuable area for fisheries, both economically and ecologically.

We estimate, using Environment and Climate Change Canada's international reporting, and assuming the huge offshore area is designated as planned, that we will have protected 37% of the Pacific coastline by 2020.

Conservation has driven our sector for the past 20 years, shaping the way it is developed and encouraging a pragmatic approach to stewardship that has had clear market benefits, as well. More than half our fisheries are in the Marine Stewardship Council program. That certifies only about 10% of world fisheries as sustainable. Most of our other fisheries are recognized either by the Monterey Bay Aquarium's seafood watch or the Vancouver Aquarium's ocean wise as good choices for consumers.



By volume, almost two-thirds of our fisheries are managed under the Canadian groundfish integration program. CGIP integrates the management of 66 different species, seven different fishery sectors, and three gear types. Under CGIP, a vessel is fully accountable for every single fish it catches, whether retained or released, through a monitoring program that includes 100% at-sea monitoring and 100% dockside monitoring.

This program has been recognized by the MSC as “one of the most rigorous in the world”. It has also been recognized by His Royal Highness Prince Charles' sustainability unit and by the David Suzuki Foundation as among the best managed fisheries on the planet.

CGIP creates incentives for long-term stewardship of the resource and the ecosystem, encouraging fishermen to be highly selective, catching the fish they want and not weak species or those with low abundance. For example, our groundfish trawl fleet, working again with the David Suzuki Foundation and other conservation groups, through a habitat conservation collaboration agreement, has frozen the trawl footprint, removing 9,000 square kilometres of the coast, protecting 50% of all habitat types, especially deepwater habitat, and instituting the world's first conservation bycatch for corals and sponges.

● (1740)

Fleetwide, this quota was set at 4,500 kilos. The total catch of corals has been less than one-fifth of this annually.

I'm providing this as context for my specific comments on Bill C-55. We agree that the current process for establishing MPAs is too long. It's quite simply ridiculous that it took 15 years since we voluntarily closed the Hecate Strait sponge reefs until they were designated as an MPA last year.

I want to make four points where we would like to see some changes.

First, many of the delays on both coasts have more to do with regulatory delays, often five years or more, than with the shortcomings of the science and socio-economic assessment. We propose, therefore, that the appropriate trigger point for the establishment of an interim MPA is at the conclusion of the science socio-economic review. This allows the implementation of protection before the regulatory process, but it also ensures the proposed boundaries are evidence-based and the result of thorough review with all ocean users, thereby increasing co-operation and support.

Second, we are troubled by the current concept of freezing the footprint based on the previous 12 months of activity. Many fisheries are rotational, for instance, geoduck on the west coast or scallops on the east coast. They are not fished every year for conservation reasons. Other fisheries may not take place in a particular year because of environmental conditions or harvesting limitations. They should not be excluded just because no fishing took place in the previous 12 months. We propose, therefore, that a five-year time frame is more appropriate than the rigid 12 months as currently drafted. Of course, the minister can introduce an immediate spatial closure under the Fisheries Act if there really is a conservation concern.

Third, we are concerned that the current drafting does not provide that the minister must consult with those who will be affected by permanent MPA closures. Such an approach is completely at odds with how to arrive at durable solutions that all parties can support.

Fourth, we urge you to ensure that any revisions to the Oceans Act do not preclude compensation to fish harvesters for access to the resource. If an area proposed for permanent protection contains a significant harvestable area or if that loss cannot be made up for elsewhere, then compensation should be paid.

Many of your witnesses have called for minimum standards for MPAs, including no oil and gas and no bottom trawl. We do not believe that such standards should necessarily include bottom trawl.

I spoke already of how our trawl fleet on the west coast has already reduced its footprint by more than 20% and frozen it, protecting 50% of all habitat types. I spoke of how it has pioneered a bycatch quota for corals and sponges, and I spoke of how it voluntarily closed the Hecate Strait sponge reefs long before Canada got around to formal protection. It is also highly selective in its fishing and accounts for every fish it catches. It should not be penalized for what it has already done by being automatically shut out of an MPA.

Properly managed fisheries are the most sustainable protein source on the planet. The threats to our oceans are real but they come from oil and gas exploration, the prospect of seabed mining, ocean acidification, and climate change, not fishing for food in Canada. Large no-take fishery zones will not help with these problems.

We are partners in the goals of 5% and 10%, and we're always ready to protect special features, as we have done in the past. However, closing large areas to fishing off the west coast does little for biodiversity or conservation, little for the men and women up and down the coast working in our sector who are middle class or aspire to the middle class, and little for the health of Canadians who deserve access to local sustainable seafood. On the west coast we believe we can have both biodiversity and healthy, sustainable fisheries that provide food to Canada and the world.

Thank you very much, everyone.

● (1745)

**The Chair:** Thank you, Ms. Burrige.

Mr. Kariya, may we have your opening statement, please.

**Mr. Paul Kariya (Senior Policy Advisor, Coastal First Nations Great Bear Initiative):** Thanks for the opportunity to appear before you and to represent the Coastal First Nations committee. I bring greetings from our president, Chief Marilyn Slett; board chair and CEO, Mr. Patrick Kelly; and our whole board and leadership.

I'm pleased to appear before you from Vancouver on the traditional and unceded territories of the Coast Salish peoples represented by the Musqueam, Squamish, and Tsleil-Waututh first nations.

I have divided my commentary into three sections: whom I speak for today, the comments and considerations under Bill C-55, and then some larger policy considerations.

The territories of the Coastal First Nations Great Bear Initiative, CFNGBI, member communities lie in the Great Bear rainforest, one of the largest temperate coastal rainforest systems left on earth and on the coastal shores of traditional waters of the Pacific Ocean.

CFNGBI is an alliance of first nations that include the Wuikinuxv, Heiltsuk, Kitsoo/Xai'xais, Nuxalk, Gitga'at, Metlakatla, Old Massett, Skidegate, and the Council of the Haida Nation, with approximately 15,000 members. We are a unique organization because representation includes various cultural and language groups, indeed, different nations.

CFNGBI is not the rights and title holder. The member nations hold these. We are a 17-year-old not-for-profit service organization created and directed by the nations.

I do want to be clear that in terms of Bill C-55 and reconciliation, there needs to be clear and strong provision for indigenous governance and the opportunity for proper co-governance and co-management.

Let me comment a little on Bill C-55.

CFNGBI communities have forged a rich culture in the north Pacific bioregion. The cultures, languages, and livelihood are deeply connected to the riches of the rainforest and ocean. For at least 14,000 years, the people carefully managed an abundance of resources: ancient cedars, herring, salmon, halibut, shellfish, and more. They relied upon their knowledge of seasonal cycles to harvest land and rain resources without harming or depleting them. Many believed these resources would last forever, and they were wrong. After mere decades of over-exploiting the forest and ocean resources of the Great Bear rainforest and oceans around, they have been depleted. Our region's economy has dwindled; jobs have become scarce, and the communities are challenged to survive.

The common reality of where the nations reside, obtain their identity, and need to establish a conservation-based economy has brought them together to work together through CFNGBI. We understand the standing committee is interested in first nations planning, PNCIMA, and the MaPP program, and how they contribute to the development of MPAs, in our case specifically the network of MPAs for the north Pacific shelf bioregion.

CFNGBI first nations have a long history and experience with marine area planning, most recently working with British Columbia and other partners in the bioregion.

The north Pacific bioregion process is an objective-driven and data-focused process that will conduct detailed impact assessments to understand the way sectors are affected by closures. It is designed carefully to achieve conservation of biodiversity while trying to avoid negative impacts on resource users.

First nations have spent five years in internal planning where each community has developed internal community marine plans focused on their values, interests, and opportunities. These plans have then been rolled up into subregional plans. In parallel and subsequently, these plans have been integrated into regional plans and into other initiatives such as PNCIMA, MaPP, and the northern shelf bioregion MPAs.

The early benefits of MaPP are engagement and commitment to MaPP and the MPA network. The subregional engagement model has involved local fishermen and local communities. There is a revitalized interest of first nations in commercial fisheries; e.g., a reconciliation framework agreement in fisheries resources was signed by our nations and Canada on October 11, 2017, with Minister LeBlanc and Minister Bennett signing.

● (1750)

A data-driven approach to identifying first nations areas of interest is another benefit of MaPP. The core principle of MaPP is ecosystem-based management, which embraces marine spatial planning with strategic focus upon human well-being, governance, and ecological systems that work. MaPP has been constructed upon a partnership model between first nations and British Columbia that is very much government to government.

The environmental community has been an active and important partner in MaPP. As an example, the Moore foundation has been an important contributor to the marine planning work. This funding, like all funding that MaPP has received, has been utilized based upon strategic, operational, and work plans. There are clear deliverables that benefit communities and community goals and objectives, such as, for example, special management zones for shellfish aquaculture and alternative energy. MaPP's engagement process has been robust and inclusive, built upon regional and sub-regional advisory committees.

Let me turn to final comments on larger policy considerations.

Bilateral engagement between CFN and Canada, based upon implementing UNDRIP and mindful of a new reconciliation priority, has CFN members and Canada engaged in two major reconciliation framework negotiations: one, in oceans management, and two, in fisheries resources. CFNGBI chiefs and ministers LeBlanc and Bennett signed a reconciliation framework agreement on fisheries resources on October 11, 2017, in Vancouver. The goal now is for cabinet to endorse a mandate with real funding investment to give meaning to reconciling and repatriating fish and fisheries to the rights and title holders.

CFNGBI chiefs and other nations in the Pacific northern shelf region are currently engaged in a joint government-to-government working group to achieve a similar oceans protection and management and reconciliation framework agreement before the new year. Protecting ocean resources, ensuring safe shipping, engaging the people who protect and maintain Canada's sovereignty on the coast, and combatting the effects and impacts of climate change are priorities.

CFNGBI is also engaged with British Columbia to build upon the existing reconciliation protocol we signed with British Columbia in 2009. I won't go through the details of all of the achievements that have been done there. It's a good government-to-government model.

Today, CFNGBI member communities employ over a hundred stewardship staff and guardians. They are on the land and seas looking out for the interests of all Canadians, as Canada and B.C. no longer have the field staff nor the data-gathering systems in place to monitor a changing environment and human use activity.

The nations need an economy that works for them whilst protecting the environment. They do so around three core principles: one, absolutely protect the environment; two, build legacy infrastructure if infrastructure is to be built; and, three, definitely enable sustainable economic development.

At the heart of the matter for CFNGBI nations is that, having made significant strides in protecting the environment, they are fashioning a sustainable economy that supports healthy communities and human well-being. The key is sustainability. Canada, B.C., and first nations need robust and healthy thriving CFN communities. They are the sentinels on the coast who are doing the monitoring that is the basis for science and data collection in a climate-changing world. This is what reconciliation looks like for CFN.

Thank you very much.

**The Chair:** Thank you, sir.

We're short on time for questions, my dear colleagues. However, I hope I can get your unanimous consent for us to go past six o'clock. I can't say how long that will go; nevertheless, we'll use our own discretion, as we normally do.

Do you want to go for that?

**Mr. Larry Miller:** All I'd say is to let all parties have their time.

**The Chair:** Okay.

**Mr. Larry Miller:** We all have places where we're supposed to be, but I'm going to try to accommodate it as best as I can.

**The Chair:** Thank you, Mr. Miller.

To start, I'm going to Ms. Jordan for a few minutes.

**Mrs. Bernadette Jordan (South Shore—St. Margarets, Lib.):** Thank you. I will keep my questions brief.

Thanks to both of you for appearing today.

Ms. Burridge, it's nice to see you again. Thank you for presenting. I have a question with regard to freezing the footprint. You're concerned about a year, but you're recommending five years. You said that was because some species aren't harvested every year. Are

there some that go as long as five years or is it usually every other year? I'm wondering if five years is realistic or if two years would maybe be more—

• (1755)

**Ms. Christina Burridge:** Three is common on the west coast. It's more on the east coast. Scallops, I think, are on a longer time frame than three.

**Mrs. Bernadette Jordan:** Okay.

The other question I had for you was with regard to the map and the area of interest, the Pacific offshore. What is it that they're protecting? What is the area of interest for the Pacific offshore?

**Ms. Christina Burridge:** It's to protect a large-scale pristine area. It has specific fishery closures in the middle of it for seamounts.

**Mrs. Bernadette Jordan:** For seamounts. Okay. Are you talking about a total no-take zone in part of it?

**Ms. Christina Burridge:** For those fishery closures, total no-take zones to protect the seabed, so at this point there could be, say, a tuna fishery on the top, because that only uses about that much at the top.

**Mrs. Bernadette Jordan:** I have one last question with regard to that. What is your percentage of offshore fleet to inshore? When I look at this map, I see there's quite a bit of the offshore that's looking at protection. I'm just wondering if most of your fisheries are an inshore fishery or offshore.

**Ms. Christina Burridge:** Most of them would be along the continental slope, which runs down the coast. We will lose some fishing from the offshore, but it won't be a huge amount, and we will protect those seamounts, which we all think is important.

**Mrs. Bernadette Jordan:** Okay. Great.

Thank you, Mr. Chair.

**The Chair:** Thank you, Ms. Jordan.

Mr. Miller.

**Mr. Larry Miller:** Thank you very much.

To our witnesses, thanks very much for your presentation and for accommodating our antics here in Ottawa with votes and what have you.

There is a kind of constant theme here. We had the Honourable Robert McLeod here prior to both of you, and there was something that he said quite clearly when he talked about the economic hit on communities that MPAs can cause. He was talking about the delaying tactics used by a lot of environmental groups and others when it comes to oil and gas approvals, which would have helped his community, and you may be able to relate to that, Mr. Kariya, and yours in the north. He says that the delays go on for so long that they make whatever the project is economically unfeasible.

Ms. Burrige, you commented on the amount of time it takes for MPA approval.

We can't have one without the other. Some rule changes were made by the previous government to make the approval process more streamlined and what have you. I think there seems to be agreement about this in a lot of areas from a lot of people on both sides of this issue in regard to helping with this. What can we do to speed up the approval process but still go through the proper channels? There's no doubt about it: this MPA thing isn't going through the same process as, say, an oil or gas well. The government is hell-bent on basically ramming this through in no time flat.

Mr. Kariya, could you comment on that and include your experience? Have your community and the Great Bear Initiative been consulted in the proper way, in your opinion?

**Mr. Paul Kariya:** Let me begin by saying that in terms of time and timing the nine communities that I represent have been waiting a long time. In terms of timeliness to get to decisions, absolutely. I don't think first nations are in any way the blockage in terms of timeliness—

**Mr. Larry Miller:** I wasn't implying that.

**Mr. Paul Kariya:** No, it's just a statement I made. I'm not applying that to you.

In terms of what we need, I'd say that generally what we need is information. When you think about some of the complexity of the things we are dealing with, be it in fisheries management, terrestrial land use planning, or ocean planning, there is a dearth of material in some places.

Yes, we can make some decisions as we go along. I don't think anyone is saying, "Let's wait until we collect everything." That would be untenable. Information gathering is something that I think we're a little short on. Part of it is that both governments, Canada and British Columbia, in the areas that I represent, have withdrawn a lot of staff. We don't do that.... Christina probably would agree with me in terms of the fisheries side of things. We don't have the capability we used to have.

How can you make decisions on protection and that without good information? I say that with some solutions; I made the statement about having a hundred stewardship staff. Our member nations now are the people on the land. They are trained and they're ready. They can be contracted to do this information collection.

• (1800)

**Mr. Larry Miller:** Sure.

I have one more quick question.

I understand, Mr. Kariya, that the Coastal First Nations Great Bear Initiative submitted a brief nearly a year ago for this committee's review of the Fisheries Act. Were you involved in the preparation of that organization's brief? What was the organization's expectation of how your brief would be used? Could you comment on that?

That's my last question.

**Mr. Paul Kariya:** Thank you for the question. I was not involved in that.

I have to say that my experience here is quite limited. I've been here for a little over four months, so I can't speak to that previous brief at all. My apologies for that.

**Mr. Larry Miller:** There's no apology necessary. Thank you.

**The Chair:** Thank you, Mr. Miller.

I neglected to mention this earlier. I always introduce guests, and I totally forgot Mr. Stetski. He has been here so much that we keep forgetting that he's a guest. Nonetheless, we welcome Mr. Wayne Stetski from the beautiful riding of Kootenay—Columbia.

Mr. Stetski, the floor is yours.

**Mr. Wayne Stetski:** Thank you.

Thanks to both of you for being here today. I have just two questions, and I guess I'll address them both to Mr. Kariya.

I was part of the environment committee that produced the report on how to get to 10% of marine protected areas and 17% of land protected areas by 2020. We met with a lot of first nations. Many of them said they believed that protected areas, including marine protected areas, if done correctly, would benefit conservation, would help preserve traditional ways of life for first nations, and indeed, could be part of reconciliation with first nations, which is one of the Liberal government's priorities.

I'd appreciate your comments on that.

**Mr. Paul Kariya:** I would say that our nations, having been on the land—and we are going to be on the land and water for a long time—support MPAs. They are a piece of the puzzle in terms of a changing environment and the need for protection of biodiversity. These are nations that also participate in some of the industries that Christina represents, so I want to be fair to them, but overall, the nations are saying that in order to get fish for their food and social and ceremonial cultural practices, they need healthy environments, and MPAs exactly fit within that. They are a tool that's necessary.

**Mr. Wayne Stetski:** One of the concerns that has been brought up around this bill is that it doesn't contain any minimum standards at all for marine protected areas, so there's a group that apparently has been asked by government to come up with some of these minimum standards. I'm interested in your perspective on whether minimum protected standards for conservation areas should include—I'll read this list quickly—prohibitions on oil and gas, seabed mining, wind farms, tidal power development, open net-pen aquaculture, bottom trawling, and ocean waste dumping.

First of all, do you think there should be minimum standards applied to marine protected areas? Second, I'm interested in what prohibitions you think should be part of minimum standards.

If I have time, I'll ask both of you about that.

**Mr. Paul Kariya:** I think there are minimum standards. I'm a little careful in responding to that because there are different types of zones that we could be looking at in terms of activities.

Let me put it in the positive in saying that I think in all of the zones the first nations want to ensure that they can still carry on food, social, and ceremonial practices. If there are foods to be gathered—not for commercial purposes—they'd want to protect that.

I think that in terms of minimum standards for other activities, yes, there probably are lines to be drawn, and they would be supportive of that.

**Mr. Wayne Stetski:** Is there time to ask our other guest that question as well?

**The Chair:** Go ahead.

**Mr. Wayne Stetski:** It's on minimum standards.

**Ms. Christina Burrige:** Yes, I spoke briefly to that. Clearly, from a fishing perspective, we do believe that there are some things that don't belong in MPAs, but as I spoke about, I would not necessarily include bottom trawl in that. I might, depending on the area, but if you look at what we've done in B.C., you'll see that we have already protected such a huge amount of the bottom from bottom trawling that if we were going to lose another huge chunk we would worry that it would make a valuable fishery simply unworkable.

**The Chair:** Thank you, Mr. Stetski.

Thank you, colleagues.

First of all, I want to thank our guests for exercising extreme patience with us and with what Mr. Miller so aptly described as our antics that take place here during the votes. I want to say thank you to the BC Seafood Alliance executive director, Christina Burrige, for joining us again. I also want to thank the Coastal First Nations Great Bear Initiative senior policy adviser, Mr. Paul Kariya. Again, thanks to both of you.

Colleagues, thank you for your patience as well. Tomorrow morning there is no meeting. On Thursday, we return to regularly scheduled programming at 8:45 sharp.

The meeting is adjourned.

---





Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <http://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>