



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Fisheries and Oceans

FOPO • NUMBER 083 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, February 1, 2018

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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, everyone.

I apologize for being late this morning. I rely on Ottawa transit; they were just slightly behind this morning—much like me.

We're continuing with our study for marine protected areas.

I want to thank the committee for indulging me on this one. I say this on behalf of Mr. McDonald. I hope we can do this. The one area of the country we haven't been to yet on the MPA study is Newfoundland and Labrador. Today we're not discussing that specifically, but we're going to use an example.

I want to welcome all the way from the town of Happy Adventure, Mr. George Feltham, who is from the Eastport region.

George, it's good to see you this morning.

From the Department of Fisheries and Oceans, we have Mr. Robert Lambert, who is director, oceans management, Newfoundland and Labrador region. We also have Christie Chute, who is the manager of marine conservation programs.

Mr. Lambert, you have up to 10 minutes.

Mr. Robert Lambert (Director, Oceans Management, Newfoundland and Labrador Region, Department of Fisheries and Oceans): Thank you, Mr. Chair and members of the committee, for the opportunity to be here today.

The Government of Canada remains committed to increasing the protection of Canada's marine and coastal areas from the current 7.75% to 10% by 2020. My role includes managing regional initiatives under this marine conservation agenda. To achieve this target, we will continue establishing marine protected areas and marine refuges to safeguard the health of our oceans for future generations.

I'm here today to talk about the Eastport marine protected area, which was one of the first Oceans Act MPAs established in the country.

During the early 1990s, harvesters in the Eastport area recognized serious declines in lobster. This decline was attributed to redirected fishing efforts following the groundfish closures known as the cod moratorium. In 1995, the Fisheries Resource Conservation Council recommended that harvesters take measures to increase egg

production, reduce exploitation rates, and improve stock structure, and that local stakeholder groups and management officials collaborate to sustain their resources. In response, the Eastport Peninsula Lobster Protection Committee was formed in 1995 to implement a conservation strategy for lobster on the Eastport Peninsula.

Based on some initial successes in this initiative, such as increased community involvement and v-notching to protect egg-bearing female lobsters, the committee developed a joint project agreement with Fisheries and Oceans Canada in 1997 to close two areas of prime lobster habitat. Those were Round Island and Duck Islands. That was done under the Fisheries Act. This agreement also established the 400-square-kilometre Eastport Peninsula lobster management area, limiting access to lobster fisheries to the seven local communities.

In 1999 the committee approached Fisheries and Oceans Canada to establish these two closed areas as an Oceans Act MPA as a way to provide long-term protection. At that time, marine protection as a concept was still developing, and the department pursued this area in order to lay the foundation for future conservation efforts.

Following years of data-gathering and consultations, Eastport was designated as an MPA in 2005. The main conservation objective for the Eastport MPA is to maintain a viable population of American lobster through the conservation, protection, and sustainable use of resources and habitats within the area.

A science monitoring program has taken place inside and outside the MPA since 1997 to determine the size of the lobster population. This includes collection of data from commercial logbooks and at-sea sampling to determine catch per unit effort and size structure of the population. Catch per unit effort is an indirect measure of the abundance of a target species. A tagging program compares the average size of lobster inside versus outside the MPA. In addition, specialized traps have been introduced to monitor very small and very large lobsters. Future research will examine lobster movements and spillover MPA effects and will estimate egg production inside the MPA.

DFO has heard concerns with respect to the size of the MPA and its contribution to the conservation of biodiversity. The science monitoring program has shown higher abundance of large egg-bearing females and increases in mean size of both male and female lobsters within the population. It also continues to show a stable catch per unit effort both inside the MPA and in the surrounding Eastport Peninsula lobster management area.

The Eastport MPA continues to meet its goal of maintaining a viable population of American lobster and includes the participation of stakeholders in the management of the resource. To support effective management within the MPA, a management plan was released in 2007 and updated in 2013 in consultation with the Eastport MPA Advisory Committee, which is co-chaired by a member of the EPLPC and DFO. A third management plan will be released in 2018, covering the next five years.

Following the initial management plan release, annual service-level agreements were developed with the conservation and protection branch of DFO in order to increase patrols during vulnerable times of the year. As of 2007, additional patrols of the MPA were conducted. Compliance with the management measures in the Eastport MPA has been high due in part to the enhanced patrols and increased stewardship from the local communities and fishers.

Regular consultations have occurred with a variety of local stakeholders and other groups on the Eastport MPA. An annual general meeting of the Eastport MPA Advisory Committee and regular science-focused and public meetings serve a critical role in adaptive management of the MPA.

•(0855)

This community-driven MPA has brought fish harvesters, government, community youth, academics, and science together. As a result, there has been sharing of information and knowledge for better management of the area and its lobster fishery. Since the establishment of the Eastport MPA, we continue to become more knowledgeable on the marine environment and how marine protected areas and refuges can help play an important role in the department's ongoing conservation effort.

While scientists have documented the benefits of individual MPAs such as Eastport, the site selection process for MPAs is evolving. In recent years, potential MPA sites have been more informed by science—such as the consideration of ecologically and biologically significant areas—and future MPAs will be identified in the context of marine protected area networks.

Thank you for the opportunity to speak today, and I look forward to your questions.

The Chair: Thank you, Mr. Lambert. We appreciate that very much.

Did you say Eastport was the first one?

Mr. Robert Lambert: It was one of the first ones, yes.

The Chair: It was one of the first ones, okay. I knew it was one of them. I just wasn't sure if it was the first or not the first. I guess we don't really know, do we?

Ms. Christie Chute (Manager, Marine Conservation Programs, Department of Fisheries and Oceans): It's not the first—Endeavour, on the west coast, is the first—but it is one of the first.

The Chair: For the east coast, certainly.

Thank you for that, Mr. Lambert.

We're going to Mr. Feltham, retired fisherman. You still live in Happy Adventure, do you?

Mr. George Feltham (Fisherman, Eastport Region, As an Individual): Eastport.

The Chair: Oh, it's greater Eastport now. I see. Now I'm corrected.

Mr. Feltham, go ahead. You have up to 10 minutes, please.

Mr. George Feltham: Well first of all, good morning, and I would like to thank you for the opportunity to testify before the Standing Committee on Fisheries.

My name is George Feltham, and I have been a fish harvester for 34 years. My family has been in the fishery for over 200 years. One of the things we have survived on over the years has been diversification in the fishery, which has led us to be able to be here today.

Even though lobster is small in our area, it's very important to the annual income of harvesters. With the importance of the lobsters to our annual income, we saw the biggest decline ever, in 1993, in our lobster population. Some of it was overfishing, some of it was environmental, and I guess the problems go on as in any other fisheries.

We saw the need to alleviate some of the pressure on the lobster population, so the fishermen themselves got together, with co-operation from DFO, from enforcement and from oceans, and came up with the closed areas that we have. The areas were picked and put there by fish harvesters, and verified by science after. The reason I stress that is because harvesters have a lot of knowledge of the oceans, of the ocean bottom, of where the fish are too, and where the fish congregate.

One of the things is that I get sort of annoyed when people are talking about MPAs.... And I'm a strong supporter of MPAs, because I believe that MPAs can work, but it has to be done for the right reasons. They've got to be there to serve the people. One of the things we lose sight of quite often is where the terrestrial is or where it's marine. The ocean is a big place, and everyone had the concept that you can go anywhere in this big place and fish. That is so false. You just can't go everywhere. There are prime areas where you can go and fish, and there are areas where you can go and never get a fish. It's not so big as you think.

One of the things we did, to relate back to our MPA, is we mapped the fishing activity that's taking place. We can't be blindsided today, because our activities have changed over the last number of years.... We have to go back where we traditionally fished. We moved from a groundfish to a shellfish, going back to a groundfish again. Our traditional fishing activity has to be taken into account.

If you go around and ask people whether we should develop an MPA, everyone out there would say yes. But when you say you're putting it in their backyard—or my backyard— then they don't want it. There's a price that people have to pay, and when we put our terrestrial parks in place, we never recognized the local people, the local users. As a matter of fact, the local parks, to this day and age, in my back door, are crucifying the people who live within and next to the boundaries, with no recognition. Even though we have 200 years of history there, we're not recognized.

My point here is that on a going-ahead basis, things are going to change. If we put an MPA in place, changes are coming. Fisheries change, everything changes. The number one thing is that the primary user groups have to be consulted and have to have a say in establishment of any MPA. Not only do we have to have a say, but we have to have an input in where it goes, in management.

That's what happened in Eastport. We were lucky. We had good people in DFO, good people in enforcement, in oceans, who were going to sit down and work with the people and the communities. It didn't happen overnight.

Some people will look back and say, "But it's small. It's small." But to get to where we got to, we have to go through the same process as if they took in half of the Atlantic Ocean. You have to consult more people. We had to consult communities that were 50 to 70 kilometres away from us, because their licences had the right to fish in our area, and what we were proposing was taking away that right.

● (0900)

We had to look at how we could minimize the impact on our industry and our community. You can't just take 50 or 60 harvesters out of a little community like mine and throw them to one side. Our communities would die. We have to make sure that, whatever effect MPAs or parks have on that community, the direct stakeholders are looked after.

The other thing we have to be careful of, and it was a selling point for the Eastport MPA, is that when we started this process, no one thought about recreational users. All of a sudden we had a battle that this couldn't go ahead. If we're going to protect the environment, then we have to get everyone out of there.

What we want is to create a pristine area where science alone can go in and do work on the most natural basis that it can. When we're creating MPAs, we cannot allow one user group in and another user group out. If we do, we're doomed for failure. Right from the beginning we're doomed for failure.

For our MPA enforcement, yes, we get enforcement from DFO, and once in a while they drop by. We're in the location, and one area is close to Parks Canada. Yes, they drop by sometimes, but 90% of the enforcement was done by the fish harvesters themselves because

they believed in what they were doing. That's why. They created it; it came from the grassroots. They believed in what they were doing.

I had more statistics on what we did, but I had to change my presentation because I didn't think you wanted to hear the statistics twice.

I think there's a lot to learn. I think people should sit down and look at what we did and the co-operation we had with enforcement. We convinced fishery officers in enforcement to come to our meetings and sit down to put it all on the table beforehand, before they went crawling around the rocks with cameras and everything else, trying to get someone to do this or that. We laid it on the table; they laid it on the table. That was the co-operation we had with the departments.

I guess I'll close there.

● (0905)

The Chair: Well done. Thank you, Mr. Feltham. As always, we appreciate it.

By the way, Mr. Feltham mentioned terrestrial rules. I think what he's referring to is that Eastport is adjacent to Terra Nova National Park. They're essentially surrounded by Terra Nova National Park. He has terrestrial rules and he has the MPA as well.

That being said, thank you to our witnesses for their statements.

Now were going to go to questions. However, committee, can you indulge me? Do you mind if I ask a very quick question, only because I know the area very well? I think this is a question for Mr. Lambert and Ms. Chute.

Around the time of the Eastport announcement we made at the Legion in 2005, there was also talk of an MPA around the community of Leading Tickles. That didn't work, and it didn't go ahead. Does anybody have an idea as to why that didn't go ahead?

Mr. Robert Lambert: I wasn't part of that.

The Chair: That's fine. I thought maybe you had that information. I do know there were two on the go at the time. One succeeded and the other one not so much.

Mr. Robert Lambert: I think it's fair to say that Eastport went ahead because of the strong support of local fishers and the local community. I know that about the Eastport. I'm not sure about the....

The Chair: I think that may answer my question.

Mr. McDonald for seven minutes, please.

Mr. Ken McDonald (Avalon, Lib.): Thank you, Mr. Chair, and thank you to our guests from my home province for appearing here today.

In listening to what you both said, it seems like when this was done you did it right.

We get a lot of witnesses appearing before us, and they say they're not consulted, or DFO has not stayed in touch with them, that they did something before anybody knew about it.

How did you manage to make it work so well in Eastport? It must have been a bit of a struggle at times.

Mr. George Feltham: Yes, well any change is rough, there's no question about it. People resist, struggle. People assume that you're trying to do something to hurt them.

I guess you had to start with attitude changes. Bob Wiseman was in charge of DFO in St. John's at the time. We had a number of meetings from community to community around Bonavista Bay that were directly affected. Then we did a consulting process in communities. We had to sell it to fishermen. We sold it.

We closed off our area as well to outsiders. We locked ourselves in and locked them out. What we did is that we took the boundaries where they never fish and we made overlap areas where both parties could fish, so it sort of appeased them.

We also—which I never mentioned—went a step further in Eastport and developed an education module on responsible fishing. We got it accepted by some of the teachers. It wasn't a mandatory thing in school, but we did get it accepted by some of the schools, which certainly educated people as well.

Mr. Ken McDonald: Do you have any comment to that, Mr. Lambert?

Mr. Robert Lambert: Well I guess the success in Eastport went largely back to the fact that, from a DFO perspective, DFO was actually approached by the local fishers. Right out of the gate, we had the support of the local fishers, who also brought along the support of the local communities and so on.

There was an awful lot of consultation, as was mentioned earlier. It didn't happen overnight. There was consultation all along the way. When the MPA was established, there was a good governance structure so that there was a continuation of discussions and what was working, what was not working. There's a management plan that can be adapted should changes be required and that type of thing.

The discussion and consultation prior to its implementation, along with the science work that went with that—so there was research as well that was available—all I think, combined, worked out very well. The fact that there was a lot of consultation beforehand, good support from the community, that it was based on good science, was a very good recipe for an MPA.

• (0910)

Mr. Ken McDonald: Mr. Feltham, you mentioned that the main reason to do this was for the lobster fishery. Obviously, it's worked. The spillover I guess has given a great industry a good quota there so you can continue to lobster fish.

Were there any other species that you've seen an improvement in by doing that MPA? Was there an increase in cod, or anything else that would be harvested?

Mr. George Feltham: Cod is very migratory, and it's hard to measure if the MPA has had any impact on cod whatsoever. One thing we do have is a sea urchin fishery that is just outside of our

MPA, which inside of our MPA does allow the sea urchins to continue to grow and move outside the area as well.

I firmly believe that however large or small an area is, there's a lot of diversity, and, if you close it, there's a benefit to whatever species is in that area. A lumpfish fishery used to be in that area, lobster, herring—very little crab, other than shell water crab, rock crab, or toad crab—so all these species got a benefit from that.

Mr. Ken McDonald: Very good.

I'll close by saying that I think you've done something exceptional, to do that the way you've done it and in co-operation with DFO, to get everybody onside. You had to tell fishermen from other places, "Look, you're not allowed here anymore." I'm sure some of them were probably upset at the time, and probably downright nasty at times. To get that accomplished is a credit to yourself and DFO for working on that issue to get it done the way it should be done.

I'd like to see more of that when we're creating MPAs.

Mr. George Feltham: We've gone steps further than that in co-operation with DFO, in working with DFO, and even in our crab fishery, our snow crab fishery. We have closed areas for our snow crab fishery now, half-mile zones between the inner and outer, just to protect and take pressure off people just fishing by the line. What we did is create half-mile zones, which help conserve the crab stock in given areas as well.

There are a number of initiatives that we've done. It's not a closed area. I understand that. It's not a closed area, but it's still the same principles.

Mr. Ken McDonald: Again, thank you.

The Chair: Mr. Arnold, you have seven minutes, please.

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Thank you, Mr. Chair, and thank you for mentioning the area that wasn't successful.

Thanks to the witnesses for being here.

Could we ask the DFO officials to provide the information on that—I'm sorry, I didn't catch the name of the one you mentioned that wasn't successful—so that we can look at that information, too, as part of our study? I think it's equally beneficial to look at what worked and what didn't work.

I'm just curious. How long a process was the development of the Eastport MPA from the time the fishermen started thinking that they should do something to the time that the MPA was actually implemented?

Mr. Robert Lambert: I think the process actually started before the MPA discussion started. As mentioned, in the early nineties, fishers noticed a change in the abundance of lobster due to the pressure put on it. Before there was actual discussion about an MPA, there was a management plan put in place, a joint agreement with fishers. That's when there were closures put in under the Fisheries Act. Some of the things described by Mr. Feltham with regard to access to the area were also put in at that point. That was established, I believe, in 1997. Then as the discussion on MPAs started, it was decided that that management process was a good candidate now to be taken over as an MPA.

The discussion actually started in the early to mid-nineties, and later in the nineties, the joint management plan was put in place. That then morphed into the actual MPA in 2005.

Mr. Mel Arnold: So, it was seven to 10 years?

Mr. Robert Lambert: It was quite a long process, yes.

Mr. Mel Arnold: But it was successful?

• (0915)

Mr. Robert Lambert: Yes.

Mr. Mel Arnold: Okay. It's just because part of what we're studying is the accelerated process that we seem to be looking at now and whether it is going to be as workable, whether it is going to be as successful.

Another thing we're looking at in this study is what goals were established to begin with and how they are measured in that process. Maybe I can get a response from both you and Mr. Feltham.

Mr. Robert Lambert: The main objective, as described earlier on, was a viable lobster fishery, basically, in the Eastport Peninsula area. That was the goal. The measures that have been put in place since include science programs that measure the catch per unit effort, that is, how abundant the lobsters are. There are also tagging programs in place to study the size and movement of lobsters inside and outside the MPA.

The science work that has been done there is used to measure against the goal of a viable lobster fishery. I think the results of that show that the catch per unit effort is stable, which is what the goal was, and the science supports that.

Mr. George Feltham: The increased landings and harvesters... As I said earlier, we don't have a Nova Scotia fishery. We're on the northern edge of the movement of lobster, so our fishery is very small compared to some other areas. However, there was an increase in landings. Landings increased from 25% to 30% over a matter of six or seven years.

The other thing that you have to realize is that most of the time we're in a southerly drift. With the increased size in lobster, that is, egg-bearing lobster, they're carrying more and healthier eggs, but the drift of our eggs is to the south. A lot of the benefit from our closed area, when it comes to egg dispersal from the lobster, goes to people further south. What we've seen in the last number of years is that to the south of us there has been an increase in lobster catches as well. We can't actually prove it in science—we did some tests jointly with scientists trying to get where the drift would go—but we believe that it's partly because of our closed areas that they're getting better

production, better catch rates, now to the south of us because of increased egg production in our MPAs in our area.

Mr. Mel Arnold: Can you give me any indication—both of you or all three of you—as to the amount of area that was closed or is an MPA, in percentages, comparable to the area that may be benefiting from it? You've mentioned that you believe there are benefits further south as the drift happens. How much area has been set aside in the MPA percentage-wise out of the total area that benefits from it?

Mr. Robert Lambert: The size of the actual Eastport MPA is 2.1 kilometres. It's around two islands, so it's a relatively small area.

Science has been done through the tagging program, as mentioned, about how much lobsters move around inside and outside. It has shown that lobsters don't move a tremendous amount—that is, individual lobsters—but as Mr. Feltham points out, the increase in the size of lobsters basically means that for the lobsters inside that small MPA, the larger the lobster, the more eggs they carry, and the stronger those eggs are. As those eggs are released, they get carried with the drift and then they drift out.

Recently, science has expanded the areas that are being looked at, because that was one of the things that came up during the discussions about the science being collected: that it would be good to have more areas studied, if you will, outside—

Mr. Mel Arnold: Just so we don't run out of time, you have a relatively small area protected, but because it was identified as a highly productive area it benefits a much bigger area overall?

Mr. Robert Lambert: Exactly.

Mr. Mel Arnold: Size doesn't matter so much as biodiversity. If I were to say that, would that be correct?

Mr. Robert Lambert: I'm not sure if you can create the biodiversity argument there. This is about the movement of lobsters as opposed to the—

Mr. Mel Arnold: Mr. Feltham, I see that you want to speak.

Mr. George Feltham: Yes. On the purpose of an MPA, we have to realize that this one—even though there are other species there—was directed for lobsters, but if you want an MPA that is going to cover all areas, all fishing, then you would need a larger MPA than what we have. I'll go back to the importance of mapping historical fishing activity to know what you're getting, because that's how fishers knew what areas were capable of handling the large lobsters; they had the information from years of fishing. The mapping process of fishing activity would be very important to be able to get that diversity in closed areas.

• (0920)

Mr. Mel Arnold: You've identified a key area for a key species.

Thank you, Mr. Chair.

The Chair: Mr. Donnelly, please, for seven minutes.

Mr. Fin Donnelly (Port Moody—Coquitlam, NDP): Thank you, Mr. Chair, and thank you to our guests for being here and providing their testimony.

Maybe I can start with you, Mr. Feltham. You mentioned that everyone would support MPAs but nobody wants one in their backyard. If we talk about fisheries management practices, what would you suggest are the best management tools to improve the fishery stocks? With MPAs being one, what else do you think would work to bring fish back?

Mr. George Feltham: When you say “fish”, define “fish”.

Mr. Fin Donnelly: Well, you can choose any commercial fish, any recreational fish, or any other fish species on either coast. I was also going to broaden it to the marine ecosystem, because obviously we're not just concerned about fish. We're concerned about the marine ecosystem and about fish habitat, things that fish feed on, etc. The idea of MPAs is to look at how we protect those so that we get fish benefiting, whether it's a commercial fish or a non-commercial fish. We're trying to find out what are the things that work to help recover fish.

Mr. George Feltham: We have a number of management tools in place now through the department.

You didn't really define “fishermen”. I'll speak on crab for a minute. When we harvest crab, we don't have soft-shell crab. We harvest all hard-shell crab. We don't harvest any females. We harvest all males; all the females are put back. Water temperature plays a major role. We can do all the management we want, and if we have the wrong water temperature, we're not going to be able to correct that.

It's unbelievable that when conservation measures are in place when it comes to crab you have a decline in your crab stocks from fishing activity. I know that plays a role.

On cod, science and fishers are at a headlock when it comes to cod, but measures are in place. You're right about stepping outside of the fish because it all takes place in one place. You fish and you have prime fishing areas, including corals. The ecosystem is all balanced there, and it has to be balanced. People accept that when it comes to certain species but they don't accept it when it comes to others, so we have to be careful.

We can do what we like, and if we don't harvest in a way, if we don't watch who and what is harvesting, then all our measures are in vain. As a fisher, I take offence sometimes. Back in the early 1980s our seal population was estimated at three million. The last figure I heard was that it could be as high as 11 million. Just do the figures. That's an eight-million seal increase. They don't eat hamburgers. They eat fish, and the capelin fishery is one of the ones that comes under attack. The capelin fishery is very important. Seals primarily feed off capelin but no one will every say that the seals are depleting the capelin stocks. They say it's the fishermen depleting the capelin stock, but we take roughly 1% of that stock.

I don't know if I'm answering your question or not.

Mr. Fin Donnelly: I think so. You definitely said water temperature, responsible harvesting, and other factors.

You also mentioned that the education program is critical. Can you describe your education program and the money you need for it, the support resources and that kind of thing to do an effective education program in communities?

• (0925)

Mr. George Feltham: I had a friend in wildlife who was working at one point in time to re-establish the eider duck colony on the Great Northern Peninsula. This was a few years back. I said to him, how in the hell are you going to get that to work? He said, quite easy. Poaching was a problem with the eider ducks. He said, quite easy. I said, what do you mean? He said, we know who the poachers are. We'll hire all their wives to rear up the ducklings and they will stop them from touching the ducklings. You have to be innovative in what you do here and sometimes you have to think out of the box, but you can get it to work.

Mr. Fin Donnelly: Thank you.

Mr. Lambert, I will turn to you about two quick questions. The first one is you mentioned 7.75% protection. Is that available on the website, those areas? Do you have a map or a handout?

Ms. Christie Chute: Yes, all of the sites that add up to the 7.75% are available on the DFO website.

Mr. Fin Donnelly: Could you send this committee the link, or a map or handout?

Ms. Christie Chute: Yes.

Mr. Fin Donnelly: Thanks.

We've heard that size matters in MPAs and that what you protect is just as important, but we've also heard concerns that if the protected areas aren't large enough or right, they may not be effective. Could you comment on that.

Mr. Robert Lambert: Yes, on the issue of whether size matters, I think it goes back to what the conservation objective is. As we're discussing here today, we're looking at the Eastport MPA, and the objective there was pretty clear. It was to establish and maintain a viable lobster fishery in the Eastport area. That's why the MPA was established and that's how it's been monitored to meet that goal. If the conservation objective were different, depending on what it was, that would determine how big your MPA might be. If your objective is very wide-ranging, protecting different types of bottom coral sponges, that type of thing, then size might come into it to meet those objectives. If your objective is a very focused and small one, you could look at what happens in Eastport for a good example of that. I wouldn't say one is any less valuable than the other. Certainly, if you look at the size of Eastport, it's not very big, but it's very important to the local community and everyone around it.

The Chair: Thank you, Mr. Donnelly.

Mr. Morrissey.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Chair. I want to thank Mr. Feltham for his very candid and eloquent presentation. Mr. Feltham, you represent the face of the people who are primarily affected when MPAs are put in place. The committee has heard a lot from the scientific community, from academia and various other groups, and it's good to get the fishers' perspective.

The MPA you're referring to, the Eastport one, is closed to all fisheries, right?

Mr. George Feltham: Yes.

Mr. Robert Morrissey: Would you agree, for the record, that an MPA can have a very positive impact on a fishery and a community?

Mr. George Feltham: Yes, I agree. I said it's closed to all fisheries, but it's also closed to all other activity.

Mr. Robert Morrissey: You made it clear that without community buy-in, your MPA may not have been as effective as it has been. Do you think, then, that consultation is critical for the stakeholders developing an MPA?

Mr. George Feltham: Yes, I agree.

Mr. Robert Morrissey: Could you elaborate a little? That's a consistent comment we've been getting, and it's something this committee has to define. Could you briefly expand on a consultation process that works?

Mr. George Feltham: Our consultation process took place in different communities in Bonavista Bay, but not outside it. It didn't affect anyone else, so we were limited to Bonavista Bay. We had open meetings, open forums; people came and voiced their opinions. There were people who missed the forum, and there were some who were still opposed at the end of the day. When we got buy-in from the community mayors and the councils in different communities, though, the people who were opposed were sort of left on their own.

• (0930)

Mr. Robert Morrissey: That's a critical point. Sometimes we just focus on those. You reached out to the leadership in the affected communities as well. That was a critical part.

Mr. George Feltham: Yes.

Mr. Robert Morrissey: There's been some different testimony given before this committee on the rigidity of MPAs, and I believe you touched on it a bit. Would you recommend that in forming an MPA there should be a process in place to evaluate the boundaries of the MPA to reflect changes over a period of time? You did identify that the environment's changing. As the environment changes, does the MPA still achieve what it was originally set up to do, from the fisher perspective?

Mr. George Feltham: From my perspective, the first thing you need to do is map the fishing activity in that area. These records can be obtained, especially in the later years, and historically, there are logbooks and other records. This information can be obtained by working with fishers and with DFO. We need the MPAs mapped out because we don't know what we're doing. How much can the industry afford to lose? Can areas be moved so as to accommodate the industry? We can't afford to lose too much fishing area, but we can give up some.

Mr. Robert Morrissey: There should be some ability to constantly evaluate the boundaries.

Mr. George Feltham: Yes.

Mr. Robert Morrissey: The other part I would like to speak on is that a big issue before this committee is that MPAs are being formed, but currently there's a question as to whether DFO has adequate enforcement ability for them. As we continue to grow the MPAs, that's a part that would have to go.

In your testimony and the evidence you gave, you made it pretty clear that without the support of the fishermen... You made a reference to 90% of the enforcement being by fish harvesters. Could you expand on that a bit, and how critical it is to the effectiveness of monitoring an MPA?

Mr. George Feltham: In our MPA we have harvesters who fish close by or pass nearby, close to the area, every single day. The fishermen bought into it. If you went to Eastport now and DFO came out tomorrow and said we're lifting that closure, they would flip out. They wouldn't want it lifted, because it's theirs.

I go back to the point again that consultations are very important. You're not going to get everyone, but if people can see this is going to benefit them, or you're treating them fairly and establishing this, and you're working with it, saying, "Yes we can do this, but we can't do that", then you would get buy-in.

Now—and you can correct me if I'm wrong—there's very little enforcement of the closure in the Funk Island Deep, but most people respect it and don't fish there for certain species.

Mr. Robert Morrissey: I want to go to Mr. Lambert. This MPA was established, I believe, in around 2005, because the lobster fishery had its biggest decline in 1993. Since that time, we've had a long period to evaluate. What changes have been observed within this MPA over that period of time?

Mr. Robert Lambert: The changes that have been observed are mainly that the catch per unit effort, or how hard it is to catch a lobster, has improved. This means better and more stable catch rights, which was the objective in the first place because, as you recall, it was because of a decline—that's where the concern from the fishers came in. Since its establishment the catches have improved.

In addition to that, the lobsters inside the closed areas have been observed to be bigger. Again, when they are bigger, they are more productive. The females carry more eggs—better-quality eggs if you will—and that maintains the lobster catches around.

• (0935)

Mr. Robert Morrissey: That's just within the lobster. Are there any other changes you may have observed?

The Chair: Mr. Morrissey, I'm going to have to cut you off there. I apologize.

Mr. Miller, for five minutes, please.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Thanks, Mr. Chair, and thank you to our witness for being here.

Mr. Lambert, I understand you're going to be here for the next hour, so my questions will go to Mr. Feltham while he's here.

It's really refreshing to have a witness like you, with a distinct knowledge of the area in question, so thanks for being here. That's quite a feat. I come from a family with a long line of people in agriculture, but we haven't been in it for 200 years. That's pretty significant.

You have talked about the consultation or lack thereof. What was your experience, Mr. Feltham, when it came to that consultation? I ask because we've had a lot of fishermen who have come to us and said that basically they are information sessions. They are not really consultations.

Can you elaborate on what your experience was?

Mr. George Feltham: Yes. We face the same thing you're going to face. You face it as a politician when you go out there. You go to a community, and you have a meeting, and you get seven or eight fishers or eight or 10 fishers to show up to that meeting for a consultation process, and you have eight or 10 who are home, who don't bother to go. They are the eight or 10 who are the problem, because you can't satisfy them. You consult with the ones who show up, and you do what you can.

We moved our boundaries two or three times and overlapped areas to bring people inside. We gave a little, they gave a little, and eventually we got the boundaries down on the outside. Once we established our own area for fishing, the inside boundary was easy, because all we had to work with was our own communities and our own fishers. Our biggest problem was the surrounding areas.

Mr. Larry Miller: In general terms, an article was just released by Boone and Crockett. You may have heard of this organization, started by Theodore Roosevelt, close to 200 or 150 years ago. They just issued an article on conservation and preservation. It was very interesting. It's a long read, but I would suggest to anybody here to read it, when we're dealing with MPAs.

In a nutshell, conservation is not about a blanket thrown over something, saying there's no use in there. We had a witness here on Tuesday, and you could tell, it doesn't matter what MPA and where it is, she wants no use in it. But conservation is like timbering. You don't slaughter a bush, you farm it, the same as you would a crop of alfalfa or whatever. You guys are doing the same thing in the fisheries.

There will be exceptions, but do you think in general that most protected areas, if you have some restrictions on them, should still allow commercial and recreational fishing? Do you have any comment on that?

Mr. George Feltham: I think there should be both. Our no-take zones have to be negotiated with your primary user groups. I think we have to come to some sort of a consensus—you'll never get a consensus on anything—but certainly come to a workable agreement

on no-take zones. In your other areas, you have to examine every fishery individually, see what does damage, what doesn't, and what we can allow versus in a restricted area.

I don't like the term "conservation" to a degree when it's used in the manner that you were referring to here, because once you—

● (0940)

Mr. Larry Miller: Could you explain why?

Mr. George Feltham: I think responsible use of the resource is a more—

Mr. Larry Miller: Is that not what conservation is, though?

Mr. George Feltham: It depends on the interpretation. I remember the first forum I ever attended in Halifax, and that's a good many years ago, I had an individual say they'd rather run a trawl than go through a bed of tulips. I'm taking it literally now, which she didn't, but I mean responsible fishing.

One of the first awards I won was the Romeo LeBlanc Medal for Responsible Fishing. I think responsible fishing will address a lot of our questions. Not only that, it is conservation.

Mr. Larry Miller: You are leading to exactly my point, responsibility. I don't think enough credit is given to responsible fishermen like you, when it comes to this. Too many environmentalists and so-called experts, both in and out of DFO, and environmentalists in general want this blanket on with really no science. They say we just have to stop it. But responsible use, in my opinion, can go a long way, and I think you've just reinforced that.

Mr. George Feltham: If you're a responsible person, and you're putting something in place that is going to benefit everyone, then the responsibility is to be able to analyze and come to some sort of agreement among the environmentalists and DFO and the fishers out there. That's where the responsibility comes as well.

Mr. Larry Miller: That's great. Thank you very much.

The Chair: Thank you, gentlemen. That was good.

I want to thank our guests, Mr. Lambert and Ms. Chute.

Mr. Feltham, thank you very much, sir, for your years of experience on the ocean and the wisdom you brought here.

We're going to break for a few minutes before our next round of witnesses, so please don't go far.

● (0940)

(Pause)

● (0945)

The Chair: Okay, folks, welcome back. This is the second hour of our study on the marine protected areas.

Mr. Lambert, we welcome you back once again, joining us from fisheries and oceans, oceans management, Newfoundland and Labrador.

You are at the White Hills, are you, in St. John's?

Mr. Robert Lambert: That's correct.

The Chair: We also have with us Mr. Randy Jenkins as a senior director.

My apologies, Mr. Jenkins. Where are you, British Columbia?

Mr. Randy Jenkins (Director, Ecosystems and Fisheries Management, Department of Fisheries and Oceans): No, I work here in Ottawa.

The Chair: Brett Gilchrist, acting assistant director, is also here from Ottawa. We also have, by phone, Robert Lamirande.

I'm sorry, I didn't get your title. Do you want to tell us what your title is, sir?

Mr. Robert Lamirande (Director General, Aboriginal Affairs, Department of Fisheries and Oceans): Director general of indigenous affairs and reconciliation.

The Chair: My apologies. I had it. There's been some confusion in the past little while about who's coming, who's going, and that sort of thing, so my apologies.

We also have joining us online Mr. Andrew Thomson. Mr. Thomson is the regional director of fisheries management in British Columbia. He is joining us by phone from Vancouver.

We have 10-minute presentations, as you've just witnessed from the first hour. Now, with all of you from one big umbrella, how do you want to divide this?

Mr. Jenkins, will you be speaking on behalf of everyone? That's quite a responsibility, sir. You have up to 10 minutes.

Mr. Randy Jenkins: You're going to be excited to learn that I really don't have a formal presentation, but I thought I'd take just a couple of minutes, to allow for more questions. I thought I'd take a couple of minutes to explain our makeup today. Brett and I are with the resource management program here at headquarters, so national policy, because we weren't exactly sure what area of the country you might want to focus on in your questions.

As you know, Mr. Lambert is from the Newfoundland region in the extreme east, and Mr. Thomson is in the west. Hopefully, if you have questions that are east and west, we can try our best to answer them for you. We have six administrative regions within DFO, so we don't have them all represented here. If there's a technical question for one of the other regions, and we don't know the answer, we'll get back to you.

Additionally, we have Mr. Lamirande with us. As he mentioned, he's responsible for the indigenous program at DFO here. Again, depending on the nature of your question—we understand the topic is commercial indigenous fishing—if it's more on a broader policy issue, Mr. Lamirande can perhaps answer. We'll be farming the questions around a bit, if you don't mind. We don't really all have individual views. We're just trying to facilitate the best way possible to respond to questions that your members may have.

That is it, sir. Thank you very much, and I should have said we are very pleased to be here.

The Chair: We had no doubt.

That works for us. We've been through a lot of witnesses on MPAs, and more time for questions and answers would be great. Essentially, this is what we like, because we are full of questions right now.

First we have Mr. Finnigan for seven minutes, please.

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Well, thank you all for being here this morning as we're moving on with our MPA study. It's been long, and we've questioned it. We've flipped it back and forth and up and down, and there are still questions.

At this morning's presentation, Mr. Feltham from Newfoundland talked about how they went about designing and implementing their MPAs with the community and with all the stakeholders. He said something that got my attention, "We do it for the people." I know it includes the community, and it includes the fishers, and it includes everyone. Who, in your mind, are the people? Are we looking at just the local area? How far do we do it for the people? Are we doing it for the people of the planet? How would you define what the purpose of that MPA is? Again, I understand that we do it for the stakeholders, and industry, and local, and everything. Could everyone define who the people are?

● (0950)

Mr. Randy Jenkins: I can start off.

There are a couple of benefits. One, as was mentioned earlier, is about conservation but also about ensuring sustainable fisheries and development as we move along. Each MPA is unique. The MPA in the Eastport area, which Mr. Feltham spoke about this morning, had a defined objective of trying to increase the spawning biomass of lobster to ensure that there's a sustainable fishery in the areas immediately adjacent to it.

Other MPAs have other conservation objectives. Some are to protect sensitive benthic areas, corals and sponges. Some have species that are being protected.

When you say "the people", I would suggest that, yes, it's for all the people, but people have different objectives themselves. Obviously the objective of the fisherman in terms of what an MPA benefit might mean to them would be different from perhaps that of a biologist, and certainly from the animal kingdom, the species of fish. There are different benefits for both.

I'm not sure that we can categorize a particular group of people. When we do our consultations and outreach, certainly we like to get input from all peoples, regardless of what their interest in the area is: the general public, the fishing industry, indigenous groups, academia, everyone who would have a benefit.

I'll end it there. I don't know if one of the other colleagues would like to add to that.

Mr. Robert Lambert: I could add a bit of perspective.

Over the years we've learned, and science is teaching us, that all these measures that we put in place, whether they're MPAs or management measures, and so on, are not necessarily restricted to individual boundaries. In other words, it's a more global issue. While you might have an MPA in this area, it also might impact another area farther up the coast in another region, or perhaps in another country. That's why the focus now, as we progress, is changing from some of these smaller, very targeted MPAs to what's known as an MPA network. That's exactly the reason for that, the connectivity.

As we do that, as we heard this morning, the consultation piece is very important. As we go out and are talking about putting different protections in place, it's very important that we get a cross-section from everybody—fish harvesters, ENGOS, academia, and the general public—before any decisions are made, so that we have well-informed decisions.

In answer to your question, “the people” is basically as broad as you want to make it. It has an impact on people very locally, but it also has an impact on people globally.

Mr. Robert Lamirande: I would add from the indigenous perspective, in terms of accommodating and addressing aboriginal and treaty rights, that we need to look at the establishment of MPAs through that lens as well. The duty to consult, the duty to work with indigenous groups also factors into the decision-making process in terms of the establishment of the objectives and the management activities within those areas.

Mr. Pat Finnigan: In other words, if we want to protect a species—say, lobster or cod—when we know that the numbers are going down, we would have measures other than an MPA. We don't necessarily need an MPA. We could say we're going to restrict the size, restrict the gear, restrict the area. It doesn't have to be an MPA to protect one species.

With an MPA, really we're talking about protecting the whole area, the whole environment, the whole ecosystem. We say that because, again, we have tools other than MPAs to make sure that the stock of cod rebounds. I'm not a scientist, but does the bottom affect the cod? I don't know.

What I'm trying to get at is the purpose of MPAs versus good management of a resource or a specific species.

• (0955)

Mr. Robert Lambert: The management measures that you describe other than MPAs can be things such as seasons or quotas, that type of thing. With MPAs, the conservation objective can be about a specific species. That does happen. However, MPAs can be very broad as well and take in biodiversity, multispecies, that type of thing. Depending on what your objective is at the time, that would determine your best tool to use.

For fisheries management, it might simply be something under the Fisheries Act that doesn't require an MPA. However, if science dictates it, maybe the best tool is an MPA.

Mr. Randy Jenkins: I'd also like to point out the management measures. We had the flexibility under the Fisheries Act to do all kinds of creative management measures, whether they're closures, or size limits, or other protection mechanisms. Generally speaking, the management measures are more fluid. You have opportunities to

adjust and change in more real time. I think one of the distinctions between an MPA and just general management measures is the longevity of the measure, the idea being that you have a long vision for an MPA. I would suggest that perhaps we're talking about MPAs and we're taking that word to be inclusive of all of the broader bases. My colleague Brett could probably give you a few bullets on the considerations when we decide whether we're going to close something or suggest closing something.

Mr. Brett Gilchrist (Senior International Fisheries Advisor, Department of Fisheries and Oceans): You mentioned the different types of tools. I think my colleague Mr. Jenkins was referring to the fact that we have MPAs that cover a broader gamut of measures beyond fishing, and then we have what are called “other effective area-based conservation measures”, which are the contribution of fisheries restrictions to protect habitat features, ecosystems, species.

The Chair: Thank you both.

I want to remind colleagues that we do have Mr. Thomson from British Columbia.

Mr. Thomson, if you'd like to get in on the conversation, don't be afraid to say so.

Mr. Arnold, for seven minutes, please.

Mr. Mel Arnold: Thanks to the witnesses and Mr. Thomson on the other end there. We haven't forgotten about you.

My first question will be for Mr. Lamirande.

What direction have you received from government in preparation for the so-called commitments to the UNDRIP declaration? How are you managing first nations consultation, or have you received direction from government in that report for that quarter?

Mr. Robert Lamirande: In general, in terms of UNDRIP and the numerous recommendations in that, I think that's front and centre in informing the federal government. The 10 principles that were released by the Minister of Justice recently, guiding and informing the federal government in terms of its interactions with indigenous groups, put significant priority on engagement and consultation, and beyond that, working with groups more collaboratively in the decision-making processes, seeking their input into the establishment and the rules around MPAs.

Mr. Mel Arnold: On the first nations consultation, does DFO...or are there other funding programs for first nations to participate in the consultation process? Do other groups receive funding to participate in the consultation process?

Mr. Robert Lamirande: There is funding. We have a program called the aboriginal aquatic resources and oceans management program—it's very long and very bureaucratic—which provides funding for indigenous groups at aggregate levels to come together either along watersheds or coastal areas. That funding provides dedicated capacity for indigenous groups to obtain scientific, technical, fisheries management, oceans management types of expertise. As an example—and Andy can speak to it more than I can—a lot of the north coast groups in B.C., coastal first nations organizations like the Haida, have gained quite a bit of capacity and have utilized those resources to not only facilitate consultations between the two of us but also for them to have more of a leadership role and have their own dedicated scientific, technical, management capacity that they can rely on to get independent advice.

• (1000)

Mr. Mel Arnold: Are there other groups that receive funding?

Mr. Robert Lamirande: Our funding applies generally where we manage the fisheries, so on both coasts that funding is available, and then in the north—

Mr. Mel Arnold: To whom, outside first nations?

Mr. Robert Lamirande: Yes, it's—

Go ahead, Andy.

Mr. Andrew Thomson: I'm sorry. I don't mean to interrupt.

We do provide funding to organizations such as the Marine Conservation Caucus, which is a collection of environmental [*Technical difficulty—Editor*] in British Columbia. We do support some of their activities in terms of consultation with the department. We have funding that we use to support the sports fishery advisory board process in British Columbia. We pay for travel and accommodation costs for their meetings with us about the northern panel and the southern panel—the “main board”, they call it—which is a fairly structured consultative process for the recreational fishery in British Columbia.

Mr. Mel Arnold: If I could interject, I've sat on sport fishery advisory boards, and basically they barely had enough money to pay for a bit of mileage and maybe a pizza for lunch. That was about it. The funding there was quite limited, so here's what I'm getting at: is there is other funding or government funding provided for other organizations to participate in the consultation process on MPAs?

Mr. Robert Lamirande: Beyond indigenous, I don't know of any.

Mr. Mel Arnold: We've heard a lot about the coordination between the oceans branch and the fisheries branch not being the best. We heard that particularly on the east coast when we did a tour out there last fall. Can you tell us how you've coordinated that consultation, so that the fisheries sector is recognized in the oceans branch movement towards MPAs?

Mr. Robert Lambert: I can speak to what happened in Newfoundland and Labrador because that's obviously the region I'm familiar with. I think your question is around the co-operation between the oceans management branch and the resource management branch. Is that correct?

Mr. Mel Arnold: It's on the fisheries management branch and the oceans branch.

Mr. Robert Lambert: The last consultations we had were around the marine conservation targets. Many of those were just announced in December. As we were going out doing consultations on those, we actually did them in conjunction with each other. When we were doing consultations, there were representatives from oceans as well as resource management. We worked together very closely on that as we were going out through.... For example, when we attended any of the industry meetings, we did it together.

Mr. Mel Arnold: Just really quickly, if you can, with somebody from both the east and the west coasts, how do you establish goals and how do you measure them?

Mr. Robert Lambert: Do you mean on individual MPAs?

Mr. Mel Arnold: Yes.

Mr. Robert Lambert: We look at a couple of things. They're based on ecologically sensitive areas, so we worked with the science. Science identifies where the sensitive areas are, and we look at those and at what needs to be protected. Once we look at that, the consultation begins with industry and others impacted and the general public.

We sit down and have those discussions. We'll say, “If you were to protect 100%, this is what you would need to do.” We get input from impacted users who say, “Well, if you do that, this is going to be the negative impact on us.” We try to reach that balance between obtaining the ecological benefits and minimizing—not eliminating, but minimizing—the socio-economic impact on user groups such as fishers, indigenous groups, and that type of thing.

• (1005)

The Chair: Let's hear from the west coast.

Mr. Andrew Thomson: I would add that part of the value of the consultation process is to ensure that we have a greater understanding of the activities that the sector groups—the fishers—are actually doing and what impact those specific activities may have on the environmentally sensitive areas of the proposed MPAs. That part of the consultative process, I think, helps us in terms of determining what the actual impact may be of those types of activities.

To answer your question a bit further, I think, that's to say that you establish goals of protecting or maintaining a level of protection on the environmentally sensitive areas, and then, of course, part of that, once an MPA or an area of interest is established, is to have a program to evaluate whether or not the program you've put in place is in fact protecting or managing those environmentally sustainable areas.

The Chair: Thank you.

We're now going to Mr. Donnelly, please, for seven minutes.

Mr. Fin Donnelly: Thank you, Mr. Chair, and thank you to our departmental officials for being with us this morning.

We've heard a lot about how important consultation is and about the length of time to create an MPA. We've heard it can take seven to 10 years to protect marine areas. How will the department speed up that process to get a target of, say, five years for a protected area?

Mr. Brett Gilchrist: I think our colleagues from the aquatic ecosystem branch are probably more suited to talk to the marine protected areas. The other effect of area-based conservation measures, which again are the fisheries-specific tool under the Fisheries Act to address and protect ecosystem features and species, is an example of how—working with stakeholders and partners based on best available science and the experience of fish harvesters and the contribution of their information—we can identify measures on a shorter term, as we did in 2017. Marine protected areas, again, are probably best addressed by the aquatic ecosystem branch, which I believe we have in the room but not at the table here.

Mr. Fin Donnelly: Does anyone else want to add anything on achieving timelines and efficiency within a shorter period? What we're hearing is people like to be consulted and not cut off, but of course, they don't want to take forever because in seven to 10 years, things change.

Mr. Randy Jenkins: Yes. I could just add, as we've seen this year, there are measures taken under the Fisheries Act, so it's a stepwise process and they may or may not result in a longer-term MPA, which would give you the additional consultation. A process to establish an MPA itself is somewhat different from the fisheries measures that we have talked about, although the concept is very similar. That is why we separated it. The oceans group would be responsible for MPAs, and the resource management group, which we are largely part of, is responsible more for the, I'll say, interim...it's not necessarily intended to be an interim MPA, but it has the same outcome in that you achieve closures through consultations. It doesn't necessarily stifle the process that would normally go on for an MPA to be established. There could be additional consultations or additional feedbacks or considerations at a later time.

Mr. Fin Donnelly: Mr. Lambert.

Mr. Robert Lambert: I would also throw in that there are proposed amendments, of course, to the Oceans Act that talk about things like freezing the footprint, and that would speed up the process so that you would be able to offer protections before the actual MPA was established.

Mr. Fin Donnelly: With consultation, is that helpful or how does that impact users?

Mr. Robert Lambert: I think how that when you freeze the footprint, any activities that are currently occurring are allowed as those discussions are ongoing. I think that might help in that regard.

Mr. Fin Donnelly: We've also heard about the importance of monitoring and enforcement. I'm wondering if anyone can speak to the lack of monitoring and enforcement that currently exists.

With the aim and objective to double the amount of protected area on the country's coasts in marine areas, will there be a corresponding ramping up of monitoring and enforcement? Or is that seen as important by the department?

• (1010)

Mr. Robert Lambert: I can start on it.

Monitoring and enforcement obviously are very important parts of any management measures when you're talking about prohibition, closed areas, and that type of thing. A lot of the areas we're talking about now for MPAs are large areas that are offshore and so on, and some people have some concerns about that.

As a department, we currently have the resources and the technology to monitor enforcement in these areas, such as air surveillance programs. We have quite a bit of experience with that on the east coast. We will have more areas to monitor, but it can be done. There may be more resources required. As we establish MPAs that's always a consideration, if there's more money required for enforcement. The actual technology is there, so vessel monitoring systems, aerial surveillance, and those types of things are available now.

Mr. Fin Donnelly: Mr. Lamirande or Mr. Thomson, maybe you might want to jump in on this one.

From your experience working with first nations in terms of protecting marine ecosystems, can you outline some of the most critical issues?

Mr. Robert Lamirande: I think in terms of specificity, Andy can speak to it.

For indigenous groups, the protection of existing resources is often paramount, in terms of protecting the sustainability of resources and access to them. Looking at it in terms of the objectives of those specific MPAs, and then in terms of their ability to access resources within those, are factors to consider.

Andy.

Mr. Andrew Thomson: I would just add that I think one of the critical things indigenous groups bring forward to us is how we include or consider some of their traditional ecological knowledge in our consultative process, in terms of what areas they consider to be ecologically sensitive, in addition to other science views as to what is ecologically sensitive.

The Chair: Thank you.

Ms. Jordan, you have seven minutes, please.

Mrs. Bernadette Jordan (South Shore—St. Margarets, Lib.): Thank you to the officials for being here today.

My first questions are for Mr. Lambert and Mr. Thomson, going to both coasts.

Recognizing that this report we're putting together right now is going to, hopefully, come with some recommendations to guide the process, to make sure that we have it right whenever we are designating MPAs, both of you have been involved in the MPA process on your coasts. If you could make one recommendation for what you would like to see done better, what would it be?

Mr. Lambert, I'll start with you.

Mr. Robert Lambert: I guess our most recent experience is of the need to consult as broadly as possible; and as to the people we are consulting with, it's very important to have the right people there.

For example, when we're talking about closed areas, if you start off, quite often you'll get representatives of fishers but you don't necessarily get individual fishers. What we find is that, when you get to the end of the day, the people who are consulted, who maybe know the most about a particular area or that type of thing, whether it's fishers or indigenous folks, that's where the decisions are actually made.

As we go through the consultations, I would say consult as widely as we can; and as quickly as we can, get to the individuals with the most knowledge.

Mrs. Bernadette Jordan: Thank you.

Go ahead, Mr. Thomson.

Mr. Andrew Thomson: Yes, I would agree. I think a broad consultation strategy should very clearly lay out how you go about it—plan the time frame, set up meetings, etc.—so the client sectors have information ahead of time to plan to be able to attend the meetings and contribute meaningfully. I think those things would help to have a better-informed consultative process.

Mrs. Bernadette Jordan: Thank you.

Mr. Jenkins, I'll go to you next with regard to the question started by Mr. Donnelly. I'd like to move a little bit further into it. We've heard in a number of cases where it's great to have an MPA, but if it's not enforced, why bother? Do you feel the department has enough resources to make sure that, when we do designate MPAs, we are making sure they are enforced and that people are following the rules?

• (1015)

Mr. Randy Jenkins: Unfortunately I'm not the enforcement person. We do the resource management side and I think Darren Goetze, the DG of conservation and protection, was already before the panel. I can only—

Mrs. Bernadette Jordan: From a resource management side, do you feel there is enough money available to it?

Mr. Randy Jenkins: I think the department has built in a strategy to not only implement the MPAs but to also ensure there is a monitoring and compliance component built into the planning for the future.

Mrs. Bernadette Jordan: Thank you.

Mr. Lambert, I'm going to go back to you because we had testimony in the past from fishers in Newfoundland who have said

there is talk of MPAs where they can't drop a line but there is still drilling for oil and gas.

I just wonder if you want to comment on that, because it is a concern that one industry is being affected differently from another.

Mr. Robert Lambert: I think that when we use the term MPA, we're using the broad marine conservation targets as well—which, as Mr. Gilchrist described, are actually other enforcement measures—and those fall under the Fisheries Act, so those are the ones we have in place. I think the reference there is probably to those areas.

The fact of the matter is that, when we have closures under the Fisheries Act, the Fisheries Act is only designed to deal with fisheries and fish and fishers. Issues such as oil and gas aren't under the control, if you will, of the Fisheries Act. That's the case there.

Mrs. Bernadette Jordan: We've heard so much testimony. We've heard there needs to be more consultation. We've heard there needs to be less consultation. We've heard that people are not consulted enough. Who determines where, and when, and who is going to be involved?

I know that we've also heard that there was a meeting that was called for consultation on the first day of lobster season, so none of the fishers could get there. Who makes those decisions and how do they go about making them?

I got a lot of calls on that one in my riding. "Why are you doing this now?" How do you make sure that you get the people who need to be involved in the process?

Mr. Brett Gilchrist: There are obviously some national groups, like national representation from indigenous groups, industry, and ENGOs, as well as co-management partners. However, I would say that when it comes to who should be involved in engagement, we really rely on our regional offices who have the day-to-day, face-to-face discussions with our partners and stakeholders on a regular basis. Obviously, they have a better understanding than folks in Ottawa about who should be involved.

Mr. Andrew Thomson: We do have a very structured agent process with our client sectors, with licence-holders and such. Much of the consultation planning goes through regularly scheduled meetings. Within Pacific Region A, we also have a consultation secretariat that helps to maintain a calendar of ongoing consultations that occur across multiple programs.

As best as possible, we try to coordinate that type of consultation approach, so that we're not doubling up in a day or making people choose between a fishing opening and coming to a consultation.

The Chair: Thank you.

Now, we're going to go to Mr. Miller, for five minutes, please.

Mr. Larry Miller: Thank you very much, Mr. Chair, and to our witnesses, thanks for being here.

I just wanted to expand on what Ms. Jordan just asked about consultation. With all due respect, gentlemen, you never really answered her question. We know that you consult with various groups or you're supposed to.

Mr. Lambert, a few minutes ago, you made a comment that there needs to be widespread consultation and yet, as Ms. Jordan mentioned, we hear that fishermen have complained about it occurring right in the middle of lobster season. It's like having the same kind of consultation for farmers about harvest, right in the middle of harvest.

I'm not going to ask you to respond because you didn't answer her question, but it's obviously a problem. It's one thing to say you're going to do a proper consultation, but you actually have to walk the talk.

I want to switch gears. When it comes to MPAs, do you feel your process to create an MPA is totally based on science? Or do you think they should be based on science?

• (1020)

Mr. Robert Lambert: I'll say that certainly the establishment of MPAs is largely based on science. As science has improved over the years, it's certainly more predominant now than ever. As we go out and have consultations, whether it's with fishers or academia, it always comes back to science. You can't just make these closed areas. You need science to back it up.

Mr. Larry Miller: I appreciate that.

As we know, the government has set out 5% by 2020 and up to 10% by a certain date. I fail to remember the exact dates, but you get where I'm going on this.

Can you produce the documentation, based on science, that said it had to be 5% and 10% and with those timelines?

Can that be produced?

Mr. Randy Jenkins: That's a question we'd have to take back to our science colleagues. It's not in the—

Mr. Larry Miller: You don't know whether there's actually expert advice saying that you should do this as DFO? There have to be instructions someplace, or if there aren't, I guess my point is, then, that it's strictly political.

Mr. Randy Jenkins: I'm sure there is a rationale to the numbers. Part of it is the government's obligations under international commitments in terms of our overarching piece, and then the framework of how things are rolled out on a domestic level is determined by the government as informed by the various persons, including scientists and others.

I'm not sure if there's a specific document. That's not my area of expertise.

Mr. Larry Miller: Well, I'd like that produced if there is. I would carry that out farther, that if they're just based on international commitments, those aren't based on science. Those are based on political reasons.

We had a witness here on Tuesday, Dr. Larry McKinney, who works out of Texas A & M. He has been involved in a lot of MPAs in the Gulf of Mexico and others, and I asked him about an approach

that involved establishing MPAs just based on protecting a certain percentage of the ocean. His answer was, "To be looking at percentages, no, I think that's not an approach...I certainly would not do that, just setting a certain percentage aside."

Here's a guy who's been involved in very successful MPAs, and I would urge you to follow up. I don't just take his word for it. They have been very good at what they're doing, and none of them have banned recreational fishing. He doesn't believe that in most cases.... They've restricted it and what have you. With regard to an earlier witness we had today from Newfoundland, it was kind of along the same lines. You protect something, but you don't necessarily totally eliminate the harvest in or around it.

Would you believe that, in general terms, recreational fishing has far less chance of overfishing or depleting stocks versus a commercial fishery? I'm not trying to attack commercial fishery. I have a lot of it in my riding as well, but in general terms, would you agree with that statement?

• (1025)

Mr. Randy Jenkins: I'm not sure I can agree with the statement without knowing the parameters of the fishery of which you speak, what the species is that is being protected, and what the elements are. If you're talking about an MPA, in the context of an MPA, MPAs are established for different reasons. Often when we talk about the fishery being restricted, although it tends to be visualized as commercial or recreational, the reality is that it's about the gear type or whether or not that fishery will have an impact.

If you're talking about sensitive benthic areas or corals and this type of stuff, as long as the fishing activity does not impact the bottom, then in theory, that should be okay.

Mr. Larry Miller: Okay.

Mr. Randy Jenkins: However, if you're talking about protecting a swimming fish, if you're engaged in a recreational, commercial, or other activity, you have equal likelihood of capturing that endangered species, and it may not—

Mr. Larry Miller: I've never heard of a recreational fishery that trawls the bottom. Have you?

The Chair: Very quickly, Mr. Jenkins.

I have to cut you off there, Mr. Miller, you old pro, you.

Mr. Randy Jenkins: Again, it would be on a case-by-case basis. If you give us an example, we could follow up. However, generally speaking, I would think that most recreational fisheries, if you're talking about rod and reel fisheries or something like that, would not impact the bottom or very infrequently would impact the bottom.

The Chair: Okay, I have to leave it at that.

Mr. Hardie, you're next. I'm going to have to narrow you down to about three minutes or so because we have committee business to get to, and we have to clear the room as well.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Sure. I just have a quick comment.

If the setting of the percentages for the MPAs was political, it was non-partisan because I believe the previous government, in fact, set those, and we've lived up to them.

Mr. Thomson, there has been, since the start of this mandate, a fair investment in new science capacity. Has that been useful out on the west coast?

Mr. Andrew Thomson: Yes, definitely. It has been very useful in the context of MPAs in particular in terms of helping to define the environmentally sensitive areas and to provide advice to the oceans group as well as to the fisheries management group as to the boundaries and areas that should be protected or would be best protected in an MPA context. Then, of course, it also has been very useful in designing evaluation programs, so that there could be, as I said earlier, a system in place to evaluate whether the MPA is having the desired effect.

I'm not a manager in our science program, but I know of a number of new scientists and new biologists being brought on, through the funding that was provided, and have supported that program.

Mr. Ken Hardie: We're obviously dealing with MPAs, but we know that some of the biggest issues out on the coast have to do with the more migratory species. There is always a concern about sockeye and certainly a growing and almost urgent concern about the steelhead.

Do the MPAs themselves have any beneficial effects at all on the migratory stocks?

Mr. Andrew Thomson: Depending upon where they are, of course, there are a lot of migratory stocks, from halibut to sailfish to salmon. In providing some refuge from commercial fishers in some of these areas that they may be transiting, you are providing a refuge from capture. I don't know what the measurable benefit would be, but it seems logical to me that it would provide some benefit to those migratory stocks.

Mr. Ken Hardie: I have just a slight diversion. In the time I have left, can you comment on the state of the steelhead right now?

Mr. Andrew Thomson: Steelhead is a provincially managed species, but we have been working very closely with our provincial

colleagues to try to address some of the concerns for the South Thompson steelhead, which is in some critical state in terms of its returns this year, and also some other steelhead stocks in northern British Columbia. We are working quite closely with our provincial colleagues to try to address those concerns that are being brought forward to us.

The Chair: Thank you, Mr. Hardie. That is exactly on time, like the former broadcaster that you are.

Mr. Lambert, Mr. Lamirande, Mr. Jenkins, Mr. Gilchrist, and Mr. Thomson, by phone, we want to thank you all. Thank you for getting up at this ungodly hour, Mr. Thomson, and helping us out. In addition, of course, we also thank Mr. Feltham, in the back, for helping us out in the first hour.

Mr. Lambert, I mentioned the proposed Leading Tickles MPA. I was wondering if you could provide us information as to why that did not get off the ground, or at least some of the details around that.

Go ahead, Mr. Arnold.

• (1030)

Mr. Mel Arnold: It was the Marine Conservation Caucus that was mentioned by someone, or did I hear that wrong?

The Chair: That's Pacific—

Mr. Thomson, yes.

Mr. Andrew Thomson: That was mentioned by me.

Mr. Mel Arnold: Could we get more information on that?

The Chair: Mr. Thomson, are you able to provide us a link or add some information on the Marine Conservation Caucus?

Mr. Andrew Thomson: I believe there is a website for them. We can provide a link.

The Chair: Thank you, and of course the Leading Tickles issue as well.

Thank you all. We will clear the room for committee business.

[*Proceedings continue in camera*]

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