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Chair: Patrick Weiler



Standing Committee on Fisheries and Oceans

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• (1545)

[English]

The Chair (Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.)): I call this meeting to order.

[Translation]

I would like to welcome you to meeting number nine of the Standing Committee on Fisheries and Oceans.

[English]

I want to start by acknowledging that we are gathered on the ancestral and unceded territory of the Algonquin Anishinabe people and by expressing gratitude that we are able to do the important work of this committee on lands they've stewarded since time immemorial.

Pursuant to Standing Order 108(2), the committee is meeting to continue its study on the review of the Fisheries Act.

[Translation]

Today's meeting is being held in a hybrid format, in accordance with the Standing Orders. Members may participate in person or via the Zoom application.

[English]

Before we continue, I would like to ask all in-person participants to consult the guidelines written on the cards on the table. These measures are in place to help prevent audio and feedback incidents, and to protect the health and safety of all participants, particularly the interpreters. You will also notice a QR code on the card with links to a short awareness video.

Pursuant to our routine motions, I would like to advise committee members that all witnesses appearing virtually in the first panel today have successfully conducted the required technical testing. We did have an issue with a witness in the second panel. We are going to reinvite this witness because we're unable to make sure that the sound check was approved, but we do want to make sure that we have this witness appear at another time.

I would like to make a few comments for the benefit of the witnesses and members.

Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mic and please mute yourself when you are not speaking.

[Translation]

With regard to interpretation, participants using the Zoom application can choose between the floor and English or French at the bottom of their screen. Participants in the room can use their headsets and select the desired channel.

[English]

I would remind you that all comments should be addressed through the chair.

[Translation]

Members in the chamber must raise their hands if they wish to speak. Those participating via Zoom must use the "raise hand" function. The clerk and I will do our best to maintain the order of speaking. We thank members in advance for their patience.

[English]

Before going to the witnesses, Mr. Arnold has raised his hand.

Mel Arnold (Kamloops—Shuswap—Central Rockies, CPC): Thank you, Mr. Chair.

Because of the late start due to the votes, will we be able to extend committee time for another 15 minutes?

The Chair: That's the plan. We started at 3:43 and we'll continue to 5:43. I just want to flag that for everybody now to make sure you can plan accordingly for that.

Mr. Gunn.

Aaron Gunn (North Island—Powell River, CPC): Thank you, Chair.

Just clarifying, did you say someone wasn't able to attend by video conference? I was just wondering who that was.

The Chair: This is Christina Burrige, executive director for the BC Seafood Alliance. The issue was that the witness had an older microphone that was approved from a while back. For whatever reason, it wouldn't work with Zoom.

We do want to make sure that we have this witness come appear, but because of interpretation we need to make sure that she passes the sound check.

With that, I'd like to welcome our witnesses.

Joining us by video conference, we have Morley Knight, fisheries management consultant.

Also joining us by video conference, we have Nico Prins, executive director, BC Shellfish Growers Association.

In person, we have Deborah Carlson, staff lawyer with West Coast Environmental Law Association.

We're going to start with the opening statements of the witnesses for five minutes or less, starting with Morley Knight.

Morley, the floor is over to you.

Morley Knight (Fisheries Management Consultant, As an Individual): Thank you very much.

As the chair said, my name is Morley Knight, and I currently work as a fisheries management consultant.

Thank you for the opportunity to appear before your committee and contribute to your study reviewing the Fisheries Act.

I worked with DFO for 37 years, mostly in the area of conservation and protection, with the responsibility of applying the Fisheries Act. This was first as a fishery officer, then as a supervisor and manager, and eventually as director of conservation and protection for the Newfoundland and Labrador region. Later I worked as a senior executive in fisheries management in St. John's and Ottawa, then as regional director general in the gulf and Maritimes region. I have lots of experience with the Fisheries Act and applying it.

Since leaving DFO, I have worked as a fisheries management consultant and continue to monitor how the Fisheries Act is used. Over the years, there have been multiple attempts to revise the Fisheries Act to improve it and how it is used to manage fisheries in Canada. I have observed many criticisms of the act and perceived weaknesses of it, yet during the discussions with the public and interested stakeholders about how the act should be revised, there has been little consensus over the years and much debate about the discretionary powers of the minister as outlined in the act.

It is my observation that the length of the Fisheries Act has grown significantly over my time in working with it, yet the fundamentals of the act have not significantly changed. As an example, the provisions of section 43(1) about making regulations have grown tremendously in length and detail yet, for the most part, what the minister needs to do and has the power to do is covered more than adequately in paragraphs 43(1)(a) and (b) that provide the minister with the power to make regulations governing the proper management and control of fisheries and the conservation and protection of fish. In many cases, the act is now filled with details that should be covered by a set of regulations made pursuant to the act.

The final section of the act now provides for a review of the provisions and operation of the act by your committee every five years. I believe that, in order to do this, your committee should ask the Department of Fisheries and Oceans for a report on the use, application, compliance with and enforcement of the provisions of the act, particularly those new provisions implemented in 2019.

I believe that only the department would have the necessary analysis and data to be able to provide you with the information that will allow you to conduct a review. Perhaps you already have this information and, if so, perhaps it could be circulated to stakeholders

and witnesses who may be able to provide comments on the information that would be helpful for your review.

Unless your review demonstrates that there are compelling reasons to revise the Fisheries Act, I do not recommend that the act be reopened for revisions at this time. To begin with, there has not been adequate time, application of or assessment to consider if the revisions as implemented in 2019 are effective or not.

Any time the act has been opened for revisions, it has consumed an enormous amount of time and energy without coming to any clear consensus. Given the newness of the current provisions and the global turmoil now facing the fishery and the country, I do not think that it is an appropriate time to open up the Fisheries Act for review and debate.

If the act is going to be revised, I have two suggestions for change. One, revise section 7 regarding the issuance of licences to outline that the minister shall issue licences to indigenous communities for FSC purposes as the first right of access after the conservation needs of the stock are met. Since the Sparrow decision in 1992, this is no longer at the discretion of the minister.

Two, revise the act to indicate that the minister shall consider adjacency when issuing licences or allocations. While this has been a priority allocation principle of DFO policy for decades, it has not been consistently applied. The best case example of this is along the coast of Labrador, where local licence holders have less than half of the total value of fish in the region.

● (1550)

Thank you for the opportunity to present to you today. I look forward to your questions.

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

Next we'll move on to Mr. Prins for five minutes or less.

Nico Prins (Executive Director, BC Shellfish Growers Association): Thank you, Mr. Chair and members of the committee.

My name is Nico Prins, and I'm the executive director of the BC Shellfish Growers Association, representing hundreds of small and medium-sized shellfish farms on the B.C. coast.

Shellfish aquaculture is one of the Canada's most sustainable food systems. Our farmers grow oysters, clams, mussels and scallops that clean the water, support rural and indigenous economies, and provide low-carbon protein.

However, the laws that govern us were never designed for aquaculture. The Fisheries Act, written to manage wild harvests, has become the default framework for farming, and unfortunately, it doesn't fit. This legislative gap causes confusion, inconsistency and unnecessary economic harm.

First, Canada needs to clearly define “aquaculture” in the Fisheries Act. Right now, the act doesn't actually say what aquaculture is, which means that we are treated as a fishery in one context, as a pollution source in another and as a farming activity in none. Defining aquaculture as the cultivation of aquatic plants and animals for food would provide a foundation for modern fit-for-purpose regulation. It would recognize aquaculture as what it is: a form of farming, not fishing.

Second, Canada needs to clarify how the precautionary principle is applied. Shellfish farmers fully support precaution when there is credible evidence of environmental or public health risk, but too often, precaution is used as a default when evidence is absent, resulting in blanket closures or restrictions without scientific justification.

In British Columbia, this has meant recurring harvest closures under the Canadian shellfish sanitation program or broad infrastructure limits under the Fisheries Act, even when data doesn't show harm. Precaution should be a disciplined decision-making tool, not a substitute for evidence. The act should make that clear. Precaution must be applied transparently, proportionately and with the goal of improving science, not avoiding it.

If we can define “aquaculture” properly and apply precaution responsibly, we can move from regulatory paralysis to science-based progress, protecting the environment while allowing sustainable food production to thrive.

Shellfish farmers are stewards of the ocean. We depend on clean water and healthy ecosystems. What we need from Parliament is a framework that treats us as partners in that stewardship, not as collateral within outdated legislation.

Thank you for this opportunity to speak.

I will be pleased to respond to questions.

• (1555)

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

Last but not least, we'll go to Ms. Carlson.

Deborah Carlson (Staff Lawyer, West Coast Environmental Law Association): Thank you.

Good, sunny afternoon, Mr. Chair and committee members.

I'm Deborah Carlson, I'm a staff lawyer at West Coast Environmental Law. We're a not-for-profit public interest environmental law reform organization based in Vancouver, B.C., on the Coast Salish territories of the Squamish, Musqueam and Tsleil-Waututh nations. Thank you very much for the invitation to appear. I'm grateful to be here today, on the territory of the Algonquin Anishinabe people, to play a small part in this very important work you're doing here today and on other days.

My focus today is on the habitat protection provisions of the Fisheries Act. Across our country right now, I think it's fair to say, we're grappling with economic challenges that are not fully within our control, but in these times I put to you that it's more important than ever for us to take care of our own house and to do a good job managing the things that we do control. Healthy lands and waters are the foundations of well-being and resilience for communities across our country, including economic well-being and resilience. In this context, fish habitat protection remains a critical responsibility for the Department of Fisheries and Oceans.

In 2019, lawmakers amended the purpose of the Fisheries Act to emphasize the mandate for conservation and protection of fish habitat, but today, I'd like to draw your attention to a particular aspect of habitat protection mandated by the act, of which implementation has been less than satisfactory, in my view. In 2019, lawmakers added specific factors to section 34 that the minister must consider in relation to fish habitat protection, to make sure these were taken into account. One of these factors is cumulative effects. The minister must consider cumulative effects in decision-making and in making regulations.

I expect you're familiar with the issue of cumulative effects: essentially, many small impacts that add up and combine to produce large impacts. It's often called “death by a thousand cuts”, but today I want to give you another analogy that I think helps understand how this problem creeps up on us. Think of a small leak, maybe behind a wall, that goes on for a long time, unnoticed. Each drop isn't significant, but over time, quietly, the drops can add up to some massive damage. This, essentially, is the problem of cumulative effects in relation to fish habitat: They do accumulate in the same way—slowly—so they might not even be noticed until a critical threshold is passed.

Back in 2008, renowned expert Dr. Charles Minns tried to draw attention to the habitat losses associated with smaller projects, saying that, across the country, “The aggregate impact of many small projects likely matches the impact of the fewer large projects.”

DFO scientists and science advisory panels are certainly well aware of this problem and have done extensive analysis and research, yet despite the legal requirement that has been in the act since 2019, the only public evidence of DFO work to consider cumulative effects in law and policy is the 2025 position statement. This is about a subset of decision-making for authorizations for individual projects. It's hard to say how it is applied in practice, because it's based on how, decision by decision, you would actually consider cumulative effects. There's no reference point. When are the cumulative effects considered to be too great? However, there's a further missing piece with respect to the implementation. The minister is also directed to consider cumulative effects when making regulations. I see no evidence that this has been done and no framework for doing so.

There are also multiple studies by external researchers documenting that DFO policies and procedures related to such things as offsetting, self-assessment of risk by proponents and DFO letters of advice have had enough slippage in them—small impacts—to make significant contributions to cumulative effects.

In light of this somewhat unscrutinized and, I argue, unmanaged problem of critical effects related to the implementation of DFO regulations and policies, I suggest you make the following recommendations as part of your review. The two first are related. The first recommendation is that DFO be asked to develop a tool to assess and manage the risk of cumulative effects harmful to fish habitat associated with new or updated regulations, with transparent reporting. The second recommendation is to do the same thing with respect to DFO policies and procedures governing authorizations and other directions to project proponents. Finally, the third recommendation is that DFO be asked to report back to the committee, within one year, on its progress in implementing these first two recommendations. These are steps towards fulfilling the legal direction provided by the act and getting DFO on a path to understanding and managing the cumulative effects associated with its own regulations and policies.

Thank you.

• (1600)

The Chair: Thank you very much, Ms. Carlson.

That takes us through the end of the opening remarks. We're going to go into the first round of questioning, but right before that, I want to mention that, for our witness for the next panel, Ms. Burridge, we seem to have figured out the audio, so we're going to try to move ahead with that.

With that, we move into the six-minute round of questioning, starting with Mr. Small.

Clifford Small (Central Newfoundland, CPC): Thank you, Mr. Chair.

My first question is for Mr. Knight.

Oceana, Oceans North and several other ENGOs, many of which attained considerable funding from foreign sources, want section 6.1(1) of the act modified. Essentially it's a modification of the precautionary approach, so that stocks can only be fished in a healthy zone.

Mr. Knight, do you agree with this?

Morley Knight: Thank you for the question, Mr. Small. I think it's a really good question.

As I've already alluded to, in my opinion, the act is probably already overly prescriptive. A number of the recent amendments over the past seven years and before that have sought to prescribe what the minister can do. I believe that the minister's obligation is to have proper management and control of the fishery, and conservation and protection of the fish. I might add that probably should include the conservation and protection of fish and fish habitat.

I really don't think there is any need to make it prescriptive to say the minister "must" do this and "must" do something else.

With regard to the actual issue of fishing and having to have the fishery in the safe zone, there is a whole lot of subjectivity in what is in the safe zone. That depends on science. Sometimes that depends on the validity and efficiency of the trawl surveys and on many other factors, so I don't think it's a really good idea to close the fishery whenever science says that the fishery is not in the safe zone.

I also would point out that fishing at very low levels when the fish are sometimes below the safe zone provides a lot of information about what is actually happening in the stock. It provides science with valuable knowledge that can be used to help assess the stock on a go-forward basis.

Clifford Small: Mr. Knight, you mentioned earlier that, in your opinion, this is not a good time to reopen the act due to the economic and current trade environment and whatnot.

Would you like to elaborate on that?

Morley Knight: Sure. When I said it was not a good time to reopen the act, I was drawing on my experiences going back to the early nineties when consideration was given to amending the Fisheries Act or building in new provisions. What I can tell you is that the amount of energy, time and effort that goes into that from all sectors right across the country is really astronomical and difficult to describe. What happens when the Fisheries Act gets consideration for being reopened, while everyone has some ideas, like I do, of how it could be improved, there is no consensus on that.

I really think that what we've done now is made the act very thick. It's now more than 100 pages. We have the elements in there that we need. It's a matter of how the department can use the elements that are there to effectively manage the fishery, manage the resource and protect the fish and the environment they live in. I think all the tools are there. Could they be improved? Yes, they could be, but I really don't think it's a valuable use of people's time at this time.

As I also pointed out, I really think we need more assessment and application of the provisions that were put there in 2019 before we reopen it and start all over again with another set of changes when we really haven't assessed the impact of the changes that were last made in 2019.

• (1605)

Clifford Small: Mr. Knight, should the Marshall decision be incorporated into the act if the act is reopened?

Morley Knight: That's a bit of a difficult question.

Personally, I don't think it should. I think the Marshall decision is a treaty decision that in many ways supersedes the act. The Fisheries Act should be the tool to effectively implement those decisions.

There are many provisions in the act now that govern the relationship between the minister and indigenous communities. That will, in my estimation, never cover all the various treaties that are in place across Canada or the ones that we'll make in the future.

Could the act be reframed to address certain elements of indigenous access to fisheries for a moderate livelihood or commercial access? Perhaps, but it's not evident to me how we could improve the act by trying to build each treaty into the act.

Clifford Small: Thank you.

Ms. Carlson, have you heard of the "Open Standards for the Practice of Conservation", more commonly known as the conservation standards?

Deborah Carlson: Yes, I have.

Clifford Small: In your work in trying to create more marine parks, do you lean on the open standards to help guide you?

The Chair: We're over time, so if you can provide just a short answer, that would be nice.

Deborah Carlson: Thanks.

To be honest, this is more the work of my marine team colleagues at the West Coast Environmental Law Association. It would probably be better to ask one of them, but we're happy to provide something as a follow-up in writing.

The Chair: Thank you very much.

You have the floor for six minutes.

Ernie Klassen (South Surrey—White Rock, Lib.): Thank you, Mr. Chair.

Thanks to all the witnesses for appearing here today.

Mr. Knight, how do you think we can improve the act? I felt you were implying that the previous improvements to the act were not being enacted. What suggestions would you have for improving the act at this point?

Morley Knight: On whether they're being enacted or not, I would say that in some cases the provisions put in place in 2019 have been enacted in some ways, but I don't think we've had enough experience with those provisions.

In addition to not having enough experience, we don't have the knowledge and information from the department or their assessment of how they've effectively implemented the new regulations for the inshore fishery, for example.

How could we improve the act in the future? My personal view is that if we were going to have a look at the act in the future, we'd look at cleaning it up, getting it back to basics and moving a fair bit

of the detail that's in there that has created a whole lot of pages in the act into a set of pertinent regulations.

As one of the other witnesses today expressed, some of the habitat provisions in there now are very lengthy and very complex. If they're in the act, they're very hard to change and they may not be doing exactly what needs to be done.

In my personal opinion, in dealing with it for 40 years now and as a departmental employee for 37 years, I think the act needs to stick to the basics and the regulations should be used for the actual application and the details. I would simplify it and make it a lot shorter than it is now.

• (1610)

Ernie Klassen: Thank you so much for that.

Mr. Prins, you said that "aquaculture" was not properly defined, depending on agriculture and fisheries. What does the aquaculture definition look like to you?

Nico Prins: If you look in the dictionary for the definition of aquaculture, you see that it's the cultivation of aquatic plants and animals for food. That is what aquaculture is.

Ernie Klassen: I think most people, including the T'Sou-ke First Nation, are supportive of shellfish aquaculture. They would like to improve and expand shellfish aquaculture in the harbour.

Can you tell us what is presenting the barriers to increasing the blue economy in that area?

Nico Prins: Part of the challenge is that, unfortunately, it is jurisdictionally complex, especially shellfish aquaculture. In B.C.—and you can correct me on this—there are over 20 different levels of government and regulations that have some form of jurisdiction over aquaculture.

In short, the specific challenges to expansion are around available area. That is licensing that is currently managed by the province, but it is done in the form of a harmonized application process that the federal government, through DFO and Transport Canada, sits in on as well.

Obviously, when you go through this complex licensing process, you need to incorporate local government bylaws and upland owner consent, and you need to engage with the public and with first nations. It's a challenging and lengthy process, and that's just on licensing the area.

Once you've done that, you need to have your water classification done through the CSSP, the Canadian shellfish sanitation program, which, again, is a jurisdictionally complex situation because you have DFO, Canadian Food Inspection Agency, and Environment and Climate Change Canada sitting over that, and currently the governance system is consensus-based. You need to carve out the requirements, where Environment and Climate Change Canada needs to do water classification, CFIA needs to do the food safety portion of it and DFO essentially is the enforcement of that.

It's just the jurisdictionally complex nature of it that forces it to take that long.

Ernie Klassen: Thank you.

Ms. Carlson, you were talking about the cumulative effects and how really there's no framework in place, so there should be a better framework in place for monitoring that.

Can you give us examples of some of the cumulative effects you've noticed in that industry?

The Chair: I hate to do this again, but we're going to require a short answer, because we are over time.

Deborah Carlson: Here are some quick ideas for you.

In B.C., there are more than 700,000 kilometres of resource roads—somewhat surprisingly, if you think about it—but they're there and they all have stream crossings. Those are all cumulative effects.

Cumulative effects that maybe aren't already in place are cases where folks are somehow modifying the shoreline structures, perhaps if they have a riparian property. Bit by bit, it goes up the waterway until the waterway is impassable and not accessible for salmon.

Those are types of cumulative effects. There are so many that it's hard to see them.

The Chair: I'm going to have to stop it there. There will be more opportunities for questions afterwards, but thank you very much, Mr. Klassen.

[Translation]

Mr. Deschênes, you have the floor for six minutes.

Alexis Deschênes (Gaspésie—Les Îles-de-la-Madeleine—Lis-tuguj, BQ): Thank you very much, Mr. Chair.

Good morning, everyone.

My question is for Mr. Knight.

Section 49 of the Fisheries Act and the following sections concern the powers of fishery officers. Based on your experience within the department and as a consultant for several years, do fishery officers have sufficient powers to ensure the protection of resources?

• (1615)

[English]

Morley Knight: It's a very good question. I had over 20 years experience in applying the Fisheries Act as a fishery officer, supervisor, manager and director of the program.

I can tell you right now that, in my estimation, the powers are more than adequate. [Technical difficulty—Editor] of a fishery officer are sometimes more extensive than what you would find with a police officer, given the nature of the business.

The greatest challenge with any enforcement organization is effectively applying the powers, and that requires training, supervision and leadership. That's an ongoing process. What I also know, and what I guess most of the committee members know, is that the operations that fishery officers carry out are often very complex and very controversial. They often find themselves in the middle of groups and disputes. They have the appropriate powers; it's a matter of applying what's in the act effectively.

[Translation]

Alexis Deschênes: Last week, a professor told us that, according to confidential testimony she had gathered, several fisheries officers were terrified of taking action, probably in controversial cases such as those you have raised, because they feared reprisals from their superiors.

What can you tell us about this situation?

[English]

Morley Knight: I don't know the details of the particular situation you're talking about, but I can speak in general terms about fishery officers carrying out their work.

It's quite often the case that they do carry out work that's controversial. It's often in a very tense environment where there's already a dispute between parties. The role of the fishery officer is to enforce the Fisheries Act and conserve and protect the fish, but they often get dragged in between that. That makes it a very complex operating environment.

In my experience as a fishery officer or a manager, I never really felt that there was any real concern about reprisals for people who were doing their jobs appropriately. There's often times in the organization when others want to question. Can you do more of this? Do you really think you should charge someone for that? For the most part, in my experience, there was an effective separation of the enforcement roles and the management roles.

As a manager and a director of the conservation and protection program, I was always able to push back to my supervisor. I felt safe in doing so and saying, "You shouldn't get involved with that. If you do, you could be the one ending up in court and giving evidence as a witness with the fishery officers, their supervisors and the Crown prosecutors."

I never felt any fear of reprisals in getting the work done that needed to be done.

[Translation]

Alexis Deschênes: According to the decision-making process of the Department of Fisheries and Oceans, when a fisheries officer encounters a controversial situation and observes violations, he or she must decide whether to file a report and whether to take the matter further.

At what level within the Department of Fisheries and Oceans is the decision to initiate criminal proceedings made?

[English]

Morley Knight: That depends somewhat on the situation, the complexity of it and what's involved. If it's, for example, dealing with a foreign vessel that's entered illegally into the Canadian zone, then that decision would be taken in collaboration with senior managers and the Department of Justice.

If it's a routine matter, that matter is often left with the frontline fishery officer, and then subsequently with the Crown prosecutors to proceed with the charge or not if they deem there's sufficient evidence and the prosecution would be in the public interest.

[Translation]

Alexis Deschênes: You explained in your testimony that part of the act stipulated that the Minister had to take certain criteria into account when granting new fishing licences, but you also said that this was not always respected.

What did you mean by that? Can you tell me which section of the act you are referring to?

I would ask you to give a brief answer, as I only have 30 seconds left of my speaking time.

• (1620)

[English]

Morley Knight: I'll try to give you a quick answer.

That is currently not in the act. It is part of the fisheries management policies of DFO. I'm suggesting, because it's such an important matter—and follows the Law of the Sea, by the way—that fish resources be allocated to coastal peoples and that adjacency should be built in.

If we're going to make the act complex, and all of the things that are in there now indicate we are, we should include that the minister shall consider adjacency as a matter when allocating resources.

[Translation]

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

That concludes the first round of questions.

[English]

We're going to move into the second round of questioning starting with Mr. Arnold for five minutes.

Mel Arnold: Thank you, Mr. Chair.

Mr. Knight, because of your extensive experience, would you say that the Fisheries Act provides adequate direction for the minister to manage fish stocks for both conservation and economic benefit?

Morley Knight: Absolutely.

Mel Arnold: In your opinion, is the Fisheries Act, and associated regulations, being implemented and properly enforced?

Morley Knight: That question is a little tougher. I think that the minister makes decisions in her or his role in carrying out the duties under the act based on the best advice that she or he has. I think the various players make their decisions based on their best judgment of the situation at the time, but I think it's very clear and evident that, looking back, there have been examples when, in the eyes of the public, the act is not being enforced properly or the fisheries are not being managed properly, or the enforcement work is not being carried out adequately.

In the eyes of the public, I don't think there's a way to always be 100% perfectly onside, because it would take a tremendous number of resources to, for example, satisfy the needs of some of the interest groups to carry out what needs to be done.

Mel Arnold: Are you saying it's an impossible task or is it just not being carried out under the current provisions of the act?

Morley Knight: I think it's an impossible task to always be deemed as doing the work 100% correctly all of the time. You're

never going to satisfy everyone in the public, given the diverse points of view. There are also times when—

Mel Arnold: I'll maybe change it up a little bit, then.

If the act and associated regulations were better enforced, what would the results be for conserving and producing our fisheries?

Morley Knight: I think there are times when better enforcement may yield better returns, or better stock health, but, for the most part, it's diminishing returns. For example, in certain salmon rivers, sometimes poaching has become an issue, but extra resources have to be brought there to protect the stocks. That means, lots of times, that the resources have to be pulled from somewhere else.

But, yes, more resources could sometimes help the resource be a little healthier.

Mel Arnold: Thank you.

I want to move on now to Mr. Prins.

Mr. Prins, have the previous changes to the act helped or hindered the ability of the shellfish sector to operate?

Nico Prins: I would say that, under the regulatory management with DFO as the lead agency, aquaculture and especially shellfish aquaculture, which I can speak to, has suffered in B.C. I wouldn't say it's been beneficial. I think if you look at the production statistics for our sector, you see that it's been stagnant for the last 15 years. That's more or less in line with the time DFO has taken it over.

I guess the reason is that they are using a regulation that was designed to protect and manage wild fisheries and protect fish and fish habitat on something that is a farmer-owned resource—our stock, we own it.

• (1625)

Mel Arnold: What would be the biggest hurdles for your membership in employing more employees and producing more food for Canadians?

Nico Prins: We've engaged our membership over the past 20 years on multiple occasions. Every time that we've done that, regulatory burden is in the top two or three.

Mel Arnold: Thank you. I think that's my time.

The Chair: For the next round of questioning, I'm going to take this five minutes for questioning.

I want to start with Ms. Carlson.

You mentioned in the recommendations in your introductory remarks the development of a tool for cumulative effects assessment both for policies—regulations—and for authorizations. I was hoping you could speak a little bit more to what that might look like in practice.

Deborah Carlson: To be clear, I'm not talking about another cumulative assessment process similar to what's in the Impact Assessment Act. What I'm thinking about more is something along the lines that would bring DFO into alignment with the legal direction in the act. That essentially means understanding the risks of cumulative effects occurring as a result of the regulation and the decision-making of DFO. Where is that happening? Where is the slippage? Where are the gaps? If we understand that, we can start to think about how to manage it.

Remember, as I alluded to, one of the leading experts in this field, Dr. Charles Minns, pointed out that if you had a scale balancing the aggregate impacts of all the small harms against the harms from the big projects, that would be potentially the same, so it is a big problem in terms of fish habitat protection and conservation in our country.

We're really not paying attention to these inadvertent losses that we're having as a result of the regulations and the decision-making that's going on, and it's well documented. Each thing seems so small that it doesn't attract attention, but the cumulative effect of the regulation is in itself the harm.

For example, when we develop regulations across government, we have regulatory impact statements. We give some thought to how the regulations are going to have an impact on the things we're trying to regulate. It's not like it would be something new for the government.

The Chair: Further to that, Ms. Carlson, are there other jurisdictions that have been able to employ this in their fisheries management that Canada could look to?

Deborah Carlson: We don't have something that's really an analog to the Fisheries Act to point to. We do have successful examples of managing cumulative effects, and usually those are when it's done in relation to, for example, a watershed plan, where you understand the baseline of what's there and you have some management objectives to get to with the regulations so that you're aligning it.

At this point, with DFO, we don't really have even that opportunity for them to plug into the local and regional work that's going on.

The Chair: Thank you.

We heard, particularly through testimony in the last Parliament, some frustration about the speed at which Fisheries Act authorizations were being given. We did have some suggestions, for instance, from Electricity Canada that staff should be directed to require a Fisheries Act authorization only for activities where there's a high potential of adverse impacts on relevant fisheries and fish habitat.

Obviously, that's a very different direction than the one that you're suggesting here, but, with that in mind, how would you approach building in this type of cumulative effects assessment within authorizations in a way that would maintain or have efficiency in the Fisheries Act authorization process overall?

Deborah Carlson: Right. We already do have a risk management approach to issuing authorizations. DFO asks, "Can the harm

be avoided? Can the harm be reduced? Can the harm be mitigated? Well, if not, then try to offset the harm."

What I'm pointing to with respect to cumulative effects is that we don't really have the analysis to understand the impact of that type of decision-making, so we don't know what happens then. How much is offset? Given what we know from the research that's been done externally, looking at the actual offset projects and how many of them have failed, we don't know what the cost of doing things that way is from the perspective of losses of fish habitat.

• (1630)

The Chair: Thank you.

For my last question, I want to move to Mr. Knight.

Obviously, there was a whole sea change in 2012, and then the act was, of course, updated in 2019. What's your assessment on the impact of the new changes with respect to protecting fish habitat, relative to what was there before?

Morley Knight: For the large part, the 2019 changes reversed some of the things that we're taken out in 2012. The sea change... If you look at it over time, I'm not sure there was a significant change after 2012, and I'm not familiar enough with what's occurring now, to be honest with you, to say that there have been any subsequent improvements after 2019.

However, the reality of what we need in terms of fish habitat, to the full extent possible, is to avoid authorizations of harmful alteration, destruction or disruption. There's no doubt that the best way—

The Chair: Sir, I'm going to have to ask you to wrap up quickly because we're over time.

Morley Knight: Okay.

The Chair: I'm sorry. Thanks for that.

[*Translation*]

Mr. Deschênes, you have the floor for two and a half minutes.

Alexis Deschênes: Thank you very much, Mr. Chair.

Mr. Knight, my next question is for you. We have already discussed this topic briefly, but I would like to ask you a more specific question.

During your many years working at the Department of Fisheries and Oceans, did you witness or hear of any pressure being exerted by the department on fisheries officers regarding the actions they should or should not take?

[*English*]

Morley Knight: Yes, absolutely. There's no doubt that part of the managing, directing and, I would say, controlling, in some cases, of the actions of fishery officers is that they are told where the priority should be. That's the role of their managers and supervisors.

In some cases, there has to be pressure put on them to perform better. In some cases—and I would say it's very rare—there are times when fishery officers carry out their duties and don't follow all of the protocols or the procedures that they could, and there's pressure put on them to make changes and to act appropriately.

I think that's a normal part of the process of managing an enforcement organization.

[*Translation*]

Alexis Deschênes: Have you witnessed or been aware of pressure being exerted to prevent fisheries officers from taking action to enforce the law?

[*English*]

Morley Knight: There were times. I was sometimes the person who had to direct that, no, we were not going to go into that situation that day, that it was too tense and that it was not in the public interest.

Sometimes we had to direct the staff to back away from a particular situation. That was for the well-being—the health and safety—of the officers. It was also to avoid an overly complex and potentially volatile situation where it wasn't in the best interest to go in and arrest people on that particular day.

[*Translation*]

Alexis Deschênes: Have you witnessed this type of situation on numerous occasions?

[*English*]

The Chair: Give a very brief answer, please.

Morley Knight: No, they are the exception.

They'll occur somewhere in Canada every year. It might be in Newfoundland and Labrador one year; it might be in British Columbia the next year. There might be some years when there are three or four situations that are so tense and so volatile that it's better to.... Quite often the officers are given the direction to observe, record and report. Later on, once the situation is less volatile and once they've collected evidence and information, a decision can be made on what enforcement action might be most appropriate.

[*Translation*]

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

• (1635)

[*English*]

Looking at where we are with the time, we're going to have an opportunity for two four-minute rounds of questioning.

Next we're going to go to Mr. Gunn.

Aaron Gunn: Thank you, Chair.

Mr. Prins, you shared some of your concerns around the implementation of the precautionary principle and closures. Do you have any examples of closures that were made by DFO, decisions that, in your view, weren't grounded in science and that created harm to the industry and cost economic activity and jobs?

Nico Prins: Yes, certainly, sir.

Most recently, we went through conditions of licence renewal. It is a nine-year licence that was issued in 2025—April of this year. DFO introduced a 50-metre buffer on intertidal stream channels. Industry essentially can't have any infrastructural gear in those buffer zones.

During the engagement, we requested the history, impacts or science that DFO has to suggest that there is impact, first of all, because a lot of these farms had that infrastructure in those stream channels. It's important to note that these are intertidal stream channels, so when the tide is in—which it is for 60% to 70% of the day—the intertidal stream is essentially covered in water.

It's essentially resulting in big areas of harvest area or growing area where industry can't have any infrastructure.

I'm still waiting for DFO to provide me with the rationale for or scientific evidence of what prodded the supposed balancing of conservation with economic, sustainable activity.

Aaron Gunn: You were talking earlier about the definition of “aquaculture”—you're obviously representing the shellfish growers association—and you also talked about the importance of decisions being grounded in science. In another sector of the aquaculture industry, as it pertains to open-net fish farms, the government recently closed about 40% of them off British Columbia's coast. They have articulated that they want to remove the rest by 2029, despite their own reports finding, essentially, no statistical evidence to justify their decision that those farms were impacting wild salmon. Do you worry that, even though it might not affect you directly, decisions pertaining to aquaculture are not being grounded in science, and could, therefore, jeopardize your business, your industry and your ability to put food on your table, to feed your family?

Nico Prins: Yes, absolutely. I have a slightly different opinion from you of it not directly impacting us. I think we are very closely tied to the salmon sector. In a lot of these rural areas, the salmon sector is the primary producers of jobs. The ancillary services that go with it, which our industry is reliant upon, would not exist if we didn't have the salmon sector. It would mean that it would be very hard for our shellfish sector to remain viable if we had a complete removal of the salmon industry in B.C.

Aaron Gunn: Can you expand on that a bit for people? That's news to me, that the viability of your sector is, in some ways, potentially dependent on the continued operation of the salmon farms in B.C.

Nico Prins: Yes. It's purely economic. We are a \$35-million-a-year farm gate industry, and slightly decreasing now, unfortunately. We are not big enough to sustain dive operators, boat service operators, net producers, gear producers, ice plants—things like that. If the salmon industry goes, those services, which get 85% of their economic need met by the salmon industry, wouldn't be able to survive if it were just the shellfish industry.

The Chair: Thank you very much.

We move to our last questioner here. Mr. Morrissey, you have the floor for four minutes.

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

I have a question for Mr. Knight.

You have extensive experience, in DFO, monitoring the fishery. I would ask you to give an opinion, if you could, on how you've seen the efficiency of the fishing fleet grow and the impact that has had on fishery stock in the area you worked in.

Morley Knight: Given the technology that's evolved over the last 30 to 40 years, not only have fishing vessels become, mostly, larger and faster, they are also equipped with much better fishing gear. Traps have changed—for example, in the lobster fishery—and are much more efficient. In most other fisheries, when harvesters are looking for the fish, the technology to find the fish has changed dramatically. As we move into today's environment—with GPS plotters and every vessel having the capability, almost, to map the bottom, the ability to find the fish, to record where it is from one year to the next—it almost makes it so that we can find every last fish and can catch every last fish if we wanted to.

• (1640)

Robert Morrissey: Thank you, Mr. Knight, for that, because this has been my observation. I've been at this committee, like another member, for some time, and there are constant demands from the fishery, the commercial fishers, to stretch the bounds of harvesting more stocks.

You said, in a comment earlier, that to satisfy the needs is impossible. Do you feel the department has a good handle on the impact on the resource? In my understanding, the world's oceans are diminishing in the protein that is being produced naturally. Does the department have a good understanding of the impact of this improving technology capability used by the commercial fisher and how it interacts with the resource—often we hear some members at this committee say that the fisher is seeing fish where it doesn't or may not exist—while, at the same time, trying to balance to ensure the stock lasts into the future?

Morley Knight: I think that, for the most part, DFO science has a good handle on the impact of technology and the increasing efficiency of fishing gear and fish harvesters, but I would also say that something has evolved over the same period of time. In my opinion, it's a much better sense of stewardship by most of the harvesters as they realize that they do have the capacity to fish beyond what the resource can sustain. In many fisheries now, there is a definite interest in the harvesters and their representatives in making sure that the fish stocks aren't overfished.

Robert Morrissey: That's often going to put the minister in conflict with the industry in having to say no to ongoing requests for more quota allocations. Would you agree?

Morley Knight: I think that's less the case now than it was 20 years ago, because now the harvesters have better knowledge about what the quota limits should be with the precautionary approach and the limit reference points. I see and hear less now from harvesters pushing for increased quotas than we would have seen 20 or 30 years ago.

That said, sir, it will always be a pressure, particularly when stocks are declining.

Robert Morrissey: Thank you.

The Chair: That completes our first panel.

I want to thank our witnesses for taking their time to meet with us both by video conference and here in person. Your testimonies are going to be very helpful as we put together our report and recommendations.

I also want to note that there was, I think, at least one instance where further information was asked for. If that could be submitted in writing to the committee, that would be much appreciated.

Now we're going to briefly suspend while we welcome our next witnesses to the table.

• (1640) _____ (Pause) _____

• (1645)

The Chair: Before we move to our second panel, I just want to make a few comments for the benefit of the new witnesses.

Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mic, and please mute yourself when you're not speaking.

[*Translation*]

With regard to interpretation, those using Zoom can choose between the floor, French or English at the bottom of their screen. Those in the room can use their earphones and select the desired channel.

[*English*]

All comments should be addressed through the chair.

With that, I want to welcome our witnesses for the second panel.

Joining by video conference, we have Christina Burrige, executive director, BC Seafood Alliance.

Thank you for your patience in getting things set up.

We have Margot Venton, director, nature program, Ecojustice, also joining by video conference.

In person we have Emily Orr, business agent, United Fishermen and Allied Workers' Union, Unifor.

We are going to start with opening statements from each witness for five minutes starting with Christina Burrige.

The floor is yours.

Christina Burrige (Executive Director, BC Seafood Alliance): Thank you very much, Chair and committee members.

I send a huge thank you to the IT team. We've spent a lot of time today trying to make this work, so I'm very grateful that I can be here to speak to you.

My organization, the BC Seafood Alliance, is an umbrella organization whose 30 members represent fisheries that account for about 90% of the value of wild seafood from Canada's Pacific coast. Our members are commercial harvester associations representing the majority of vessel owners from each fishery in B.C., as well as seafood-processing businesses coast-wide that collectively process and market 80% of the B.C. landed volume.

I want to make four points.

First, we support all the changes to the habitat provisions.

Second, we do propose a change to the purpose of the act.

Third, we support the existing wording preserving the flexibility of the minister's discretion in the fish stock provisions.

Fourth, we do not support using the act to change licensing policy on the west coast.

I'll deal with those last three points in more detail.

With regard to changing the purpose of the act, we would like sustainable use enshrined in the act, on the model of the New Zealand Fisheries Act . We propose that section 2.1(a) should change from "the proper management and control of fisheries" to "the conservation and sustainable use of fish and fishery resources through the proper control and management of fisheries".

With regard to fish stock provisions, we support the existing wording, which preserves flexibility in ministerial decision-making. The act and its regulations should not specify the content of rebuilding plans, should not require the target for rebuilt stocks to be in the healthy zone and must include periodic reviews.

We remain concerned that the emphasis in the act on the fish stock provisions and on rebuilding plans has affected DFO's ability to deliver the core fisheries science that makes our fisheries well managed and sustainable, as demonstrated by the number of fisheries certified by the Marine Stewardship Council. .

In terms of licensing policy, some interests will see the review as an opportunity to call for Atlantic-style licensing policies on the west coast. We do not support incorporating any such licensing changes into the act or into its regulations. Comparisons between the east and west coasts ignore the fact that Atlantic Canada has several high-volume, high-value fisheries that support many participants. The west coast has none. Overcapacity still exists in most fleets, which means that there are more licences than there are fish to support them. ITQs and other measures have significantly improved conservation outcomes, and conservation should not be compromised for social ends.

This does not mean ignoring unintended consequences of those measures. To this end, industry has proposed several models like those in the sablefish harvest agreement or the shared risks and benefits proposal. Two FOPO recommendations—a provincial loans board and a licence and quota registry—would be supported, I believe, by all interests.

Commercial licences in profitable fisheries will always be expensive. You only have to look at lobster for that. In B.C., the situation is exacerbated by increased demand from PICFI and first nations purchase and by reduced supply, since communal commercial licences cannot be sold and reductions in TACs reduce the amount of quota pounds.

Finally, the northern shelf bioregion MPA network plan will reduce commercial access for key species, despite more than 35% of B.C. waters already being protected and conserved. It is lack of access that is driving fish harvesters out of the business, not licensing policy.

Thank you very much, Mr. Chair and the committee. I look forward to your questions.

• (1650)

The Chair: Thank you very much, Ms. Burridge.

Next we'll go to Ms. Venton for five minutes.

Margot Venton (Director, Nature Program, Ecojustice): Good afternoon, committee members and Mr. Chair.

My name is Margot Venton, and I'm a lawyer and a director of the nature program at Ecojustice. I'm joining you today from Coast Salish territory.

Ecojustice is Canada's largest national environmental law charity. We provide free legal services to people and communities working to defend nature, combat the climate crisis and secure a healthy environment for all. Over the past 30 years, we have worked for a number of clients and partners who engage with the Fisheries Act.

We also participated in the fisheries modernization process led by this committee in 2019 that resulted in important amendments to the Fisheries Act to protect fish and fish habitat, rebuild fish stocks and improve transparency and decision-making. I'm very honoured to have been invited to appear again before this committee to review the implementation of those provisions. That's what I'm going to talk about today, because this is really important work.

The conservation of fisheries is the minister's first priority under the Fisheries Act, and that requires keeping fish habitat healthy, because without fish habitat, there are no fisheries. In Canada, we have lived through the devastating experience of fisheries collapse, and we are witnessing decline in fish populations throughout the country.

Ecojustice submitted written briefs in June and November of last year when this review began. I won't go through those all in detail, but I wanted to pull out a few key points for these introductory remarks. The most important is that, from our perspective, implementation of these new provisions of the Fisheries Act is really where this committee and the department should be putting their focus and effort right now. We acknowledge that a lot of work has been done to start breathing new life into the new provisions, but there are some that have not yet been fully implemented, and it appears there are several tools DFO was granted in 2019 that they are still not using.

For example, it's not clear how the new considerations in sections 2.5 and 34.1 that are intended to guide decision-making are being implemented. There don't appear to be any ecologically significant areas designated under section 34.1. There don't appear to be any new regulations to protect environmental flows to ensure passage of fish and protection of fish habitat under section 34.3(7). The public registry provisions in sections 42.2 to 42.5 are not yet in force. There do not appear to be any regulations made under section 43.3 for the protection of marine biodiversity from the impacts of fishing. We don't see any advisory panels under the new provision in section 4.01 being established. While we've seen some important first starts in implementing the fish stock provisions, those provisions need to be fully implemented.

We have some recommendations in our brief about how DFO could better use these new tools, and I'll just turn to one example. Community knowledge is one of the considerations added in new section 2.5 and intended to inform all decision-making under the act, yet there are very few ways for communities to provide their knowledge to DFO. This is especially true when it comes to permitting harm to fish and fish habitat. We recommend that DFO develop policies and processes to include the public in permitting, especially in those cases where federally protected species at risk will be impacted, so that Fisheries Act permits will also serve as permits under the Species at Risk Act. We note that the opacity in permitting, or this kind of "black box" of the permitting process, was actually an issue discussed during this committee's review in 2019, and we think opacity in permitting is an even greater concern today in 2025, as we see governments accelerating and even avoiding environmental assessments of projects that could have significant impacts on fish and fish habitats.

That's a real concern because the environmental assessment process is designed to include public engagement and the sharing of community knowledge. If these processes don't happen, then the only place environmental impact is really considered is during permitting where currently there is no guidance for DFO or for the public on how to solicit or how to share community knowledge.

I'd like to note that Canada is a vast country, as we all know, and safeguarding fish and fish habitat is a huge job. Our chance of doing a good job of stewardship gets better when you include communities in conservation.

Thanks very much.

• (1655)

The Chair: Thank you very much, Ms. Venton.

Last, and certainly not least, we're going to move to Ms. Orr for five minutes.

Emily Orr (Business Agent, United Fishermen and Allied Workers' Union – Unifor): Thank you, Mr. Chair.

Good afternoon, everybody. I'm Emily Orr, the business agent for the United Fishermen and Allied Workers' Union, joining you here today from the Pacific region.

The Fisheries Act currently falls short in a number of specific ways that lead to unacceptably large voids and gaps in the department's ability to fulfill the purposes of the act, which, in section 2.1, are:

- (a) the proper management and control of fisheries; and
- (b) the conservation and protection of fish and fish habitat, including by preventing pollution.

Focusing on how the Fisheries Act can be amended to import the value, importance and consideration of working Canadian fish harvesters—who support families and communities and are the backbone of our fisheries economy—the themes I'd like to raise for review at committee are the absence of a statement to describe for whom or what the purposes of the act are meant to serve; the absence of a neutral, science-based rationale as a standard in decision-making; the absence of metrics by which MPAs and other conservation-based closures can be held to account of effectiveness; and the exemption of the reporting of fishery effort and catch landings data.

Fisheries have been confirmed by the Supreme Court of Canada and in DFO language as being "a common property resource to be managed for the benefit of all Canadians". However, clarity and guidance for those for whose benefit the purposes of the Act are meant to serve would be achieved by including language in section 2.5 that refers to fish and fisheries being a common property resource, managed and protected for the benefit of all Canadians.

In section 2.5, the act should be definitively affirmative that the minister "shall"—in place of "may"—under paragraph 2.5(h) consider "the preservation or promotion of the independence of licence holders in commercial inshore fisheries".

The Pacific region of Canada remains without any policy or regulations that would see independent harvesters preserved or protected and without a mechanism to prevent or limit corporate concentration or foreign ownership and beneficial interest.

The erosion of independent harvesters and the resulting economic damage to coastal communities in the Pacific region is profound. The Fisheries Act can and should define Canada's approach to the preservation and promotion of the independence of licence-holders in commercial inshore fisheries consistently and in alignment for all regions of Canada's fisheries, acknowledging that British Columbia does need policy developed with British Columbian needs and situations in mind.

In subsection 9.1(1), the word "opinion" is used to describe justification of the minister's approach to fishery management orders. An Oxford definition of "opinion" is "a view or judgment formed about something, not necessarily based on fact or knowledge". It has become increasingly apparent and problematic that fishery management decisions are, in many cases, based in politics, as well as resulting from the successful lobbying of dominant and well-funded interests. While the word "opinion" may afford ultimate discretion to the minister, the semantics are important and consequential. It can be presumed that the people of Canada would be of the expectation that fishery management decisions are based primarily in data and fact, based in neutral science. It would be a vast improvement to the act and to the standard of management of Canadian fish, fisheries and habitat to amend the language to say that "The Minister may, if he or she is able to factually or empirically justify that prompt measures are required to address a threat to the proper management and control of fisheries and the conservation and protection of fish, make a fisheries management order". That greater standard of justification should be considered for all occurrences of the word "opinion" in section 9.

Under the "Fish and Fish Habitat Protection and Pollution Prevention" portion of the act, "conservation project", "fish habitat bank" and "habitat credit" are defined. This portion directly expresses the procedural ability of the department to quantify the benefits of a conservation project with enough confidence to reference "a habitat credit certification process". It can be expected, then, that this approach to holding conservation measures accountable to effectiveness and the ability to assess the effectiveness of a conservation measure could and should also be implemented in the case of marine protected areas and other conservation-based initiatives undertaken by the department.

With regard to information required by the minister, included in the Fisheries Act under "Information Returns", as subsection 61.1(2), is the following:

Exception—Indigenous knowledge of Indigenous peoples

(2) The Minister shall not require any Indigenous knowledge of the Indigenous peoples of Canada to be provided to him or her by any person under subsection (1).

• (1700)

The Fisheries Act should aid in developing a more collaborative framework for co-governance, within the nation-to-nation approach, by stipulating the mutual expectation of fishery reporting with regard to effort and landings, and for the purpose of adequate data for stock assessment, stock management and informed governance.

The Chair: Ms. Orr, we are at five minutes here, so I ask you to wrap up. There will be time to get into this in more detail in questions as well.

Thank you.

With that, we move to our first round of questioning, starting with Mr. Small for six minutes.

Clifford Small: Thank you, Mr. Chair.

My first question is for Ms. Venton. Are you familiar with the open standards for the practice of conservation, more commonly known as "the conservation standards"?

Margot Venton: I believe so.

What is your question?

Clifford Small: No, I—

Margot Venton: I'm not sure I could speak very much about them.

Clifford Small: I understand it's one of the guiding principles that's used in establishing marine parks, commonly known as "conservation areas".

Margot Venton: Yes, I'm passingly aware of it. I don't work, predominantly, on the establishment of marine parks, so I don't have a lot of expertise to add on that issue.

Clifford Small: I heard you speak, earlier in your testimony, about the importance of outcomes in terms of conservation and measuring outcomes. Am I correct?

Margot Venton: I did not actually talk about measuring outcomes as far as I know, but I'm totally happy to answer. I'm just not quite sure what your question is, sir. I'm sorry.

Clifford Small: In the establishment of marine protected areas and conservation areas, these conservation standards are the benchmark that's used in establishing these conservation standards, but on their website, they say:

The biodiversity conservation community is tackling large, complex, and urgent environmental problems where the stakes are high. However, we don't have a fully functional system to assess the effectiveness of our actions. Without more rigorous measurement of effectiveness and disciplined recording of our efforts, we cannot know or demonstrate that we are achieving desired results.

If something like this is a cornerstone of establishing marine conservation areas, it seems pretty shaky to me that we'd be following something like this towards the Liberal 30 by 30 plan, don't you think?

• (1705)

Margot Venton: As I said in my opening statement, I am here to talk, predominantly, about the provisions of the Fisheries Act that were introduced in 2019.

However, if we want to talk about marine protected areas, which I think is an important issue, there were extensive deliberations and discussions with the countries of the world, through the negotiation and discussion of the global biodiversity framework. That is the basis upon which the 30 by 30 commitment was proposed to all countries that signed the convention on biological diversity, which is every country in the world, with the exception of the United States.

The policy advice upon which all of those globally agreed-to agreements was reached was actually informed by an intergovernmental panel on biodiversity and ecosystem services. I think it's dangerous to pull any particular statement out and say, "This is the premise for a proposal to create a global network of marine protected areas." It seems overly narrow, and I'm happy to provide the committee with more information on the GBF.

Clifford Small: Thank you, Ms. Venton. If you'd like, you could submit some more on that in writing.

To Ms. Orr, do you agree with ENGOs that want to revise subsection 6.1(1) to have all stocks fished only if they are in the healthy zone, whereby 65% of Canada's fish stocks currently would not be accessible to fish harvesters? Do you agree with their submission on that?

Emily Orr: I don't agree. Part of the problem with our ability to assess fish stocks are incapacity and time, and also the nature of many stock populations being difficult to assess. Currently, even in fisheries that we can consider to be doing well, we don't have robust data and stock assessment programs, and there are examples of that.

The idea that we could be even firmer, in terms of making jumps between a lack of science and of supporting data to making decisions about whether we exercise commercial effort in a fishery, is scary, based on the idea that we don't have the information to support making such a leap, as well as what time frame would be possible for the department to assess and re-establish commercial effort. Even batching the fish stocks took several years, so one could assume that, in order to reassess a fishery for, perhaps, its re-elevation to being in the healthy zone, could potentially take years, and the economic implication of that is severe.

Clifford Small: Thank you.

Ms. Burrige, I'll put the same question to you. Do you agree with the activists who are foreign-funded and have submitted to have section 6.1(1) of the act altered so fishing can only take place for a species that has its biomass well into the healthy zone?

Christina Burrige: No, I don't, Mr. Small. I think it's a recipe for shutting down large quantities of fisheries, many of which have been recognized as sustainable by the Marine Stewardship Council. I think it is not flexible. We should be putting our money into proper stock assessment, effective harvest control rules and effective enforcement. That's the way you manage fisheries well, in my view.

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

Next, we're going to go to Mr. Klassen for six minutes.

Ernie Klassen: Thank you.

Ms. Burrige, west coast fisheries are not the same as fisheries on the east coast. In Atlantic Canada, they have their own owner-operator model or system for independent harvesters. You said you don't believe a similar approach could work on the Pacific. I'd like to know what you see in this act to protect harvesters on the west coast.

• (1710)

Christina Burrige: The general provisions of the act protect harvesters on the west coast, but doing a better job is really a policy

element that needs a lot more work from Pacific region than we have seen to date. We have seen nothing in the way of objectives. We have seen nothing in the way of principles. We have seen nothing in the way of ensuring conservation is not affected.

That said, as I mentioned, we do see there is room for improvement, but that needs to be through fishery-by-fishery dialogue and the kinds of proposals we have made, at least one of which we see working reasonably well in practice.

Ernie Klassen: To follow up, the next generation of harvesters are going to be affected by the decisions we make in this review. We are seeing that the owner-operators are disappearing. What specific measures could be included in the act to make it easier for young and independent harvesters to enter the fishery and build viable careers?

Christina Burrige: I wouldn't put anything in the act, Mr. Klassen. I would do exactly what we talked about earlier and work on the policy. It's not unique to fisheries to find it difficult to attract young people.

This committee recommended, amongst other things, the establishment of a loan board and a licence and quota registry. Both of those would be enormously helpful and, I believe, supported by all interests in B.C. I don't think that belongs in the act, though. I think that is policy and possibly a regulatory decision.

Ernie Klassen: Thank you.

Ms. Orr, you were talking about strengthening the act, and it sounded to me like giving the minister a little more authority to enact the act. I'm wondering if you could expand on that.

Emily Orr: Could you specify which theme you were extracting that from, Mr. Klassen?

Ernie Klassen: It was when you mentioned changing it to "the minister may" instead of "the minister shall".

Emily Orr: Is that with regard to protection of independent in-shore fish harvesters?

Ernie Klassen: That's right.

Emily Orr: In the Pacific region, we currently don't have any protection or provision for independent owner-operator harvesters. We don't have policy or regulation to say that in policy or any regulation to enforce that. In Atlantic Canada, they certainly do.

Currently, there's no mechanism to put any type of limit on foreign ownership or corporate concentration. The result of that is, increasingly, our access in the Pacific region is concentrated in corporate and investor hands. By nature of the inflation that occurs through those transactions, the actual profitability of a licence is no longer tied to the profit you can earn at the vessel level.

Corporations that are vertically integrated can afford to take a loss at the rail of the boat. Independent harvesters can't compete in a system like that. As we go further down that road, licences and quotas become much further out of reach for independent harvesters, who can't afford to buy in anymore, so they become indentured to fish-processing companies. They end up basically as hired skippers in a system that is becoming increasingly corporatized.

I would like to see the act define a more consistent and aligned approach across Canada's regions that speaks to ensuring the benefits of the commercial fish harvest go to the harvesters and the coastal communities in our domestic economies.

Ernie Klassen: I think I understood that you would be more in favour of owner-operators than corporate fisheries. It's not in contradiction, but it's different from what we heard from Ms. Burrige.

I wonder if you could talk a little bit about owner-operators on the west coast versus owner-operators on the east coast and what you would see as differences.

Emily Orr: I will say, too, that for the Pacific region I don't think a blanket approach with full owner-operator regulations would work. I think we need a mix of essentially fair-share agreements and owner-operator provisions, where some fisheries...it won't apply; they would be exempt, similar to Atlantic Canada.

In Atlantic Canada, fish harvesters are independent. They are able to see the benefit of the bulk of their profits. Those funds flow into their communities and support communities. Fish harvesters are able to make decisions and fish in a way that is of their own independent determination.

I would suggest too, in terms of conservation, that you don't need to catch as much fish if you're not paying 80% of your landed value to a paper-holder. I think there's an argument to be made there on the conservation part.

In terms of the loan board, we do want to see some loan boarding provisions. We know that the Government of British Columbia is probably not going to underwrite loans. If they could, that would be brilliant. We do need to look at programming, potentially through Farm Credit Canada, to make amendments whereas we can provide supports so independent operators who would be licence-holders, licence owners and independent owner-operators could have the capital to see that dream realized.

However, in the process—

• (1715)

The Chair: I'm sorry. Ms. Orr, I'm afraid that we're well over time here. I'm going to have to cut you off again.

[Translation]

Mr. Deschênes, you have the floor for six minutes.

Alexis Deschênes: Thank you very much, Mr. Chair.

My question is for Ms. Venton, the representative from Ecojustice.

Our committee has been looking at the issue of licensing. I was interested in your report because you talk about the lack of trans-

parency in the licensing process, which led to amendments to the Fisheries Act in 2019.

I have two questions for you.

According to section 7 of the act, the issuance of licences is at the discretion of the Minister of Fisheries and Oceans. So there are no real guidelines.

Under section 2.5 of the act, the minister may take certain factors into consideration, including the sustainability of fisheries, but he or she may also choose not to do so.

Are you in favour of the idea of tightening the minister's discretionary power by requiring him or her to take into account the concept of sustainability, in particular?

[English]

Margot Venton: I think that's a really important question.

Certainly, we've heard other witnesses before the committee today and on other days proposing changing that "may" to a "must" to make those considerations in section 2.5 mandatory.

I can't really imagine a situation in which not considering sustainability would be a good part of a decision under the Fisheries Act, so certainly that is possible.

I would also add that I think there's quite a lot of utility in DFO providing guidance on how these provisions should be used if the act isn't opened, without having to amend it, including providing guidance on how to consider all these various sections.

[Translation]

Alexis Deschênes: Your report also mentions provisions relating to a public register to provide access to files related to fish protection. Your report is dated November 2024; I do not know if this is an error or if the date is correct. In any case, you explained that the provisions were still not in force. Has this been corrected?

[English]

Margot Venton: As far as I know, the provisions are still not enforced. I checked this morning and my version of the Fisheries Act suggests that the registry provisions are still not in force.

[Translation]

Alexis Deschênes: In your opinion, should the provision voted on in 2019, which never came into force, be implemented?

[English]

Margot Venton: Yes, absolutely. I believe that provision and all the other tools that DFO was given in the 2019 changes should be fully implemented and used.

[Translation]

Alexis Deschênes: Thank you very much.

My next question is for Ms. Orr.

You clearly stated that, in your opinion, section 2.5 of the Fisheries Act should tighten the minister's discretionary power to ensure that he takes into account what is written in that section, which contains important considerations. You also spoke about promoting the independence of fishers.

This section refers, among other things, to socio-economic factors. If I understand you correctly, this is where you would add a provision that would not only require the minister to take economic factors into account, but also specify that he must encourage owner-operators.

• (1720)

[English]

Emily Orr: Thank you.

I believe that the act can and should reference the preservation and promotion of independent owner-operators in inshore fisheries for the Pacific region. While the act does reference preservation and promotion, it doesn't act in accordance with that for the Pacific region. It needs to be strengthened in the language, that the minister "shall", rather than "may", and we need to have a distinct language that incorporates that this is true for all regions of Canada's fisheries.

[Translation]

Alexis Deschênes: The objective would therefore be, when the minister allocates fishing rights, to favour small businesses or family businesses, in particular. Do you think this is the objective that should be pursued?

[English]

Emily Orr: I think there is a very strong economic and socio-economic case to be made for the benefit of fisheries, which are a common property resource flowing to harvesters, communities and our domestic economies. We can see where that shows up in very successful ways in Atlantic Canada, where we already have regulations in place. Most of my colleagues in Atlantic Canada are working very hard to have DFO tighten loopholes and become more committed to upholding those regulations. Harvesters themselves are in promotion of those regulations.

In terms of where there's benefit, it's an ethical question of whether the benefits of fisheries should go to independent harvesters or corporations. I obviously have a viewpoint on that.

Perhaps the ethics can be debated in a further conversation. I see we're out of time on this.

[Translation]

Alexis Deschênes: I have one last quick question.

Your members are fishers and fishing assistants. Have you heard any reports that they feel fisheries officers are not taking action, despite the reports they provide, for example when they report illegal fishing?

[English]

The Chair: We're over time, so give a very brief answer.

Emily Orr: I'm sorry; could you repeat the last part of the question?

[Translation]

Alexis Deschênes: Have your members reported situations in which they requested the intervention of fisheries officers, for example in the case of illegal fishing, but the officers did not intervene?

[English]

Emily Orr: Yes, that is occurring. We have many members coming forward and referencing situations of illegal catch being sold and that not being dealt with appropriately. Yes, that does occur.

[Translation]

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

[English]

That finishes our first round of questioning.

Moving into the second round, Mr. Arnold, you have five minutes.

Mel Arnold: Thank you, Mr. Chair.

I'll start out with Ms. Orr.

The 2019 changes to the Fisheries Act established protection for harvesters within the act, but only for harvesters in the Atlantic, not the Pacific. Has the government explained this inconsistency to members of your organization?

Emily Orr: There have been some explanations offered. The more common one is that the Pacific region's fisheries' landscape was developed more on the platform of conservation. We struggled to make sense of that. In our view, there's not a conflict between conservation and licensing policy as it would pertain to having owner-operator protections.

In terms of how fisheries are executed, the number of folks who fish in small communities in Atlantic Canada has perhaps been larger. The voting population has more to say and more sway in Atlantic Canada for ensuring that their fish harvest communities are protected whereas perhaps we're a little bit less organized in the Pacific region.

Mel Arnold: Thank you.

The government has suggested that it is acting to reform licensing in the Pacific. It has been saying this for at least six years now, since this committee produced a report.

Has the government delivered licence reform in the Pacific? What has been delivered?

• (1725)

Emily Orr: The short answer is no. The department did issue a beneficial ownership survey. However, that survey was flawed from the start. It was asking the licence holder instead of the licence owner for their responses, and, very incorrectly, reported a very low instance of foreign ownership. That study cannot be referred to for any accurate purpose. Beyond that, the department is currently consulting on potential fisheries modernization approaches, but we have not seen specific options really being put forward or a commitment from the minister to move forward.

Mel Arnold: Okay, thank you.

Does the act provide sufficient legislation or the ability for regulation to limit foreign ownership and foreign control of fisheries on the west coast?

Emily Orr: No, it's silent on it. In recent meetings with the department, I was told that, in light of current trade relationship concerns, the department would be unwilling to exceed or deviate from the United States' position on foreign ownership. They have a 25% cap on foreign investment. That is the most recent knowledge I understand that the department is going by.

Mel Arnold: Thank you.

Ms. Burridge, does your organization see a need for commercial licensing reform in the Pacific? Does it need to be improved, and if so, what improvements in licensing would your organization members support?

Christina Burridge: Generally, we think that licensing policy works reasonably well. There certainly are some ways to streamline it in terms of the way that licences can be stacked or married, but we do not support the notion that we would enshrine owner-operator or other elements of that Atlantic-style fisheries policy in the act. That is a matter for discussion.

I think the Pacific region has not done a particularly good job of consulting with industry. As I said, we've seen no objectives, no principles, no indication that we can only do certain kinds of things, because we cannot compromise conservation.

As I've said, I do believe that there are ways to deal with those issues. They do not need to be in the act itself. I am with your previous witness, Mr. Knight, that the act is already too complicated, and trying to make it—

Mel Arnold: I just want to quickly get a question in to all three of you. You may have to provide the answer in writing, because from at least two of you, we've heard that the "Purpose" section of the act does not adequately—I believe one of you stated that it doesn't direct the proper management and control of fisheries. Also, the absence of whom the act should serve is missing from the "Purpose" section.

If you can, in 10 seconds, answer but if not please provide in writing how that "Purpose" section should be improved.

The Chair: We have three people who, I'm sure, all have some very important view to bring. If that could be submitted in writing, I think it's a question that deserves a fulsome response.

With that, we are going to move to the next questioner. I'm going to be questioning for the next five minutes here, and I want to start with Ms. Orr. I apologize for having had to interrupt a couple of times.

In your opening remarks, you were going through some specific changes you would like to see in the act before I had to step in. Were there other changes that you were going to get to that you didn't have a chance to yet that you would like to share with the committee at this time?

Emily Orr: No. Thank you for checking. I was going to summarize my suggestions, so it's all good.

The Chair: Fantastic.

Next, then, I want to go to Ms. Burridge. You mentioned as one of the four points that you would like to see a change to the "Purpose" of the act, incorporating the language that's used in New Zealand. I didn't catch all of it. You mentioned sustainable use. I was hoping you might be able to speak a little bit more to the specifics of that, and what kind of a change that would make to the Fisheries Act operation.

Christina Burridge: I don't know that it would make a huge change to it, but I think, given that the Minister of Fisheries is now the Minister of Fisheries, enshrining the notion that sustainable use of the fisheries resource by whoever uses it would be an important principle to make absolutely clear.

• (1730)

The Chair: Thank you very much.

Ms. Venton, you had a number of recommendations in the brief you submitted in advance. Amongst those was a recommendation to amend the act such that the permits issued under both the Fisheries Act and the Species at Risk Act could be done at the same time rather than one after the other. I was hoping you might be able to speak to how that could improve the protection of fisheries and species at risk while not making the process less efficient.

Margot Venton: In the big picture, this is a change that could happen either through an amendment or simply through process, but as we set out in our brief, when you separate the fisheries impacts and the fisheries authorizations when they impact species at risk, it appears you create the possibility that you are dealing in silos with something that should be dealt with concurrently.

I don't believe it's necessarily something that should take longer to deal with at the same time. When issuing a permit under the Fisheries Act, say, for the destruction of fish habitat that also happens to be, for example, critical habitat of an endangered species protected under the Species at Risk Act, you should really consider those things together and not punt into the future the consideration of how the mitigation hierarchy that folks have spoken about is going to be considered. You can probably do that quite efficiently; just have it considered at the same time.

The Chair: Certainly. Thank you for that.

Lastly, Ms. Orr, I interrupted you when you were in the process of responding to Mr. Klassen's questions about some of the ways the government might be able to support the acquisition of licences. You mentioned the loan program through the provincial government. I wanted to give you the opportunity to complete those thoughts, because we have heard a number of different suggestions here about the relative benefit of moving towards an owner-operator model.

I've heard often from fish harvesters about the need to have access to finance for their operations, as well as things like security of tenure having primacy as well. I was hoping you might be able to answer that and perhaps continue with the answer you were giving Mr. Klassen.

Emily Orr: I appreciate that. Thank you.

In Atlantic Canada, there are still loan agreements between companies and harvesters, so that is not something that would disappear. We do talk about Farm Credit Canada as a potential program that could be amended to support a fish harvest community. That's certainly well worth investigating in terms of what we can do to support fish harvesters to transition to ownership, if that is something they are able to do.

I would also say that given fish harvesters in many cases are having to pay 80% or even higher, which happens every year, some harvesters actually go backwards and end up paying the paper-holder while they make zero money or end up paying their crew or expenses out of pocket. In situations like that, if they were in a position of ownership, they would not only be able to earn a fair livelihood, pay their crew and earn a living, but if you factored in what they are paying currently to the paper-holder, they would certainly be in a position to be paying a loan so that they would have ownership or title of their own access.

There are some very simple math dynamics we can refer to to see where we can support harvesters in that area.

The Chair: Great. Thank you very much, Ms. Orr.

[Translation]

Mr. Deschênes, you have the floor for two and a half minutes.

Alexis Deschênes: Thank you very much, Mr. Chair.

Ms. Orr, I would like to follow up on the last question I asked you about what your members are telling you regarding the non-intervention of fisheries officers when illegal fishing is reported.

Can you tell us what you are hearing? What is the situation?

• (1735)

[English]

Emily Orr: In many cases, there are examples of advertisements online for sale of fish that is not commercially in season. Members will phone me or email me with images or reports in real time demonstrating that these sales are occurring.

Those members and, in some cases, I, will connect with fishery officers. We are generally met with a reluctance to interfere. In most cases, it would seem that it's an indigenous person selling the catch, and the fishery officers are very unwilling to interfere with that.

In some cases, I think that is due to some confusion on the part of C and P as to what is legal or not, in terms of sale of catch.

Predominately, that is what I hear from members. In some cases, that extends to processing companies.

I think there would be, perhaps, some benefit for other witnesses to come to committee, perhaps in camera, to discuss some of those situations.

[Translation]

Alexis Deschênes: Absolutely.

As I understand it, you yourself have made such representations to fisheries officers and have been told that no action will be taken. Is that correct?

[English]

Emily Orr: This is true.

[Translation]

Alexis Deschênes: Were you able to get any answers as to why these officers did not want to intervene?

[English]

Emily Orr: Again, in one case there was some confusion about whether the sale was appropriate or legal. With some follow-up questions of the department on my part through my work, I was able to ascertain that the sale would have been illegal, but there seems to be some trepidation on the part of C and P to intervene.

Whether that's a question of the training or formal information that the C and P officers are given, or whether that's a discretionary choice on their part at that time, I cannot speak for the C and P officers, but that was the information I was given.

[Translation]

Alexis Deschênes: Thank you.

The Chair: Thank you, Mr. Deschênes.

[English]

We're going to have three minutes for the last two questioners here, starting with Mr. Gunn.

Aaron Gunn: Thank you, Chair.

Ms. Venton, you've been very supportive of reconciliation and first nations rights as an organization, but you have also been very critical of open-net salmon farming in British Columbia.

Do you support the forced removal of these farms from the traditional territories of first nations that support them?

Margot Venton: First, I would start with the fact that the Minister of Fisheries and the Government of Canada have decided to phase fish farms out on the Pacific coast for reasons of concern about the impact of those farms on the sustainability of wild salmon.

Aaron Gunn: I just want to keep this brief, though.

This was against the will of the first nations. You've been very supportive of reconciliation and first nations rights. Do you support that decision, yes or no?

Margot Venton: We support the decision of the government to phase out salmon farms on the west coast, and we recognize that there are a multiplicity of nations—

Aaron Gunn: You do support that over the will of local first nations.

Do you know what eco-colonialism is?

Margot Venton: As you know, Mr. Gunn—

Aaron Gunn: Sorry, the time is mine, Ms. Venton.

I'll just tell you what eco-colonialism is. It's the practice of using environmental protection as a pretext to impose policies, control resources and displace or harm local and indigenous communities. It extends colonial practices into the green transition era, often by enforcing environmental policies, limiting local consent and disrespecting or exploiting local knowledge systems.

Why are you engaging in eco-colonialism?

Margot Venton: I think it's really important to be aware of the impact that the conservation movement and all actions in Canada have had on indigenous peoples.

As you know, Mr. Gunn, living on the west coast, there are a significant number of nations that are very concerned about the fish farms on the west coast and their impact on wild salmon; and there are some nations that believe that they should be operating fish farms.

It's a complicated issue, and it is not one where you can say that one nation is wrong and one nation is right. On the whole, we are on the side of precaution and science.

Aaron Gunn: Thank you, Ms. Venton.

Since 2009 when the anti tar sands campaign ramped up, do you have a rough estimate of how much money your organization, Ecojustice, received from foundations from the United States?

• (1740)

Margot Venton: Mr. Gunn, as you know, all of the information about public charities is audited yearly. Ecojustice is very proud and very transparent—

Aaron Gunn: Do you have the number?

Margot Venton: —about the money that we receive.

In 2024, fewer than 1% of our donors were from the United States. We have approximately 19,000 donors throughout Canada and—

Aaron Gunn: How about total monies? I see here you received \$815,000 as part of the tar sands campaign to shut down the oil and gas industry here in Canada. Do you have any message to the thousands of Canadian workers who have lost their jobs, in part due to your advocacy?

The Chair: Mr. Gunn, we are over time—

Margot Venton: We're here to talk about the Fisheries Act, Mr. Gunn.

As you know, we are an audited charity. We are predominantly funded by individuals. Those individuals largely reside in Canada, and some reside around the world. We have nothing to hide, and all of our statements and audits are available online.

I think, unfortunately, these questions are really distracting the committee from the conversation we're supposed to be having about the Fisheries Act.

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

We're going to move to our last questioner, Mr. Morrissey, for three minutes.

Robert Morrissey: Thank you, Chair.

Yes, we are focused on the Fisheries Act and the benefit to commercial fishers.

Ms. Orr, thank you for your testimony in committee. It was very good testimony.

I share your concern, and, quite frankly, I agree that the government must do a better job of monitoring who controls the fishing resource in this country, and we must ensure that it's not going to slip into foreign ownership. That involves a number of federal government departments and provincial governments. In some cases, it's more the responsibility of provincial governments.

Could you tell the committee what fisheries you see on the west coast that would benefit most from an owner-operator policy, and the demographic of that fisher?

Emily Orr: It's a terrific question. It's something I and several of my colleagues have been working through for a number of years, in order to look, fishery by fishery, at what tools would be most appropriate. Some fisheries are essentially more owner-operator comprised than others, as it stands; and in many cases that might be salmon. In other fisheries—for example, halibut—perhaps a fair share agreement would be a better approach.

Specific dynamics of fisheries are going to, I think, determine what is the most sensible approach to modernizing the licensing system in those fisheries. Certainly, however, it would be the determination of stakeholders, departments and folks, ideally from Atlantic Canada, who have some experience in what this can look like as a jointly approached process to determine, in a fishery by fishery way, what is the best approach.

Robert Morrissey: In your opinion, what age demographic would benefit the most from an owner-operator policy?

Emily Orr: Certainly young and new entrants would benefit.

Many of the folks who are owner-operators currently in the Pacific region purchased their licenses decades ago for far less money, and have long paid for those access privileges in terms of what they paid, for example, back in the 1970s or 1980s—

Robert Morrissey: Are many young people attempting to enter the fishery on the west coast?

Emily Orr: No, and I can provide some statistics. We've recently done some studies on that.

Robert Morrissey: Could you?

Emily Orr: I can.

I would say that when we do see young new entrants, we're seeing a concerning trend of them actually leaving again within the first three to five years. The return on investment is already a very risky set of equations to work out in fishing, without the added layer of paying for a lease price that is beyond your control and set before the season even starts.

Robert Morrissey: Thank you, Chair.

The Chair: Thank you, Mr. Morrissey.

That concludes our second panel.

I want to thank our witnesses for being here in person and by video conference, and for your testimony, which will be very informative for the report that's being put together.

There were a number of instances today when answers weren't able to be completed during the committee, so if you can, please, submit those answers in writing, it would be much appreciated.

With that, the committee's adjourned.

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