

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

March - April 2001

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THE ATLANTIC FISHERIES POLICY REVIEW

WHAT WE HEARD at Public Consultations March-April 2001

Foreword

This report is a summary of the comments heard at the 19 public meetings on the Atlantic Fisheries Policy Review held throughout Atlantic Canada, Quebec and Nunavut in March and April 2001. Consultations were based on the discussion document “*The Management of Fisheries on Canada’s Atlantic Coast – A Discussion Document on Policy Direction and Principles*” which had previously been broadly distributed. The goal is to develop a policy framework on the management of Atlantic fisheries. This report, “*What we Heard*” is not the policy framework. However, the comments we heard during the public meetings and the submissions we have received will help in preparing the framework over the next few months.

The summaries herein contain the opinions expressed by those who attended the meetings and do not necessarily reflect the views of the Department of Fisheries and Oceans. We have tried to include all points of view expressed as part of the discussions and the major issues or themes raised in the meetings.

Additional copies of this document and more information about the policy review may be obtained through our web site at www.dfo-mpo-gc.ca/afpr-rppa or by calling our toll free number 1-866-233-6676.

The Atlantic Fisheries Policy Review (AFPR) is being undertaken by the Department of Fisheries and Oceans (DFO) to develop a consistent and cohesive policy framework for the management of Canada’s East Coast fish stocks. The process of the review includes consultations with provinces/territories, aboriginal interests, the fishing industry, and other interested parties.

The work of the AFPR is being done in two phases: Phase I will produce a policy framework, which will address the questions: What do we want to achieve in fisheries management over the long term? What are our objectives and principles? Phase II will establish priorities and begin to operationalize elements from the policy framework (developed in Phase I), and will answer the question: How do we get there?

The purpose of the public consultations held in March and April was to receive comments and feedback about Phase I of the policy review – the development of a policy framework. A discussion document “*The Management of Fisheries on Canada’s Atlantic Coast – A Discussion Document on Policy Direction and Principles*” was prepared by DFO. The document which sought to provide a focus for stakeholder input on policy directions and options, was used to guide the round of public consultations held across Atlantic Canada.

The discussion document outlines broad objectives and proposes several principles centred around four main policy themes: conservation, economic and social viability, access and allocations and governance. It also contains a section on roles and responsibilities, which clarifies DFO's role with respect to other federal departments and agencies, other governments, the commercial industry, and other resource users.

The document was released on February 7, 2001, and distributed to stakeholder groups and others who had indicated an interest in the Review process. In addition, a brochure, which summarized the document, was mailed to every commercial fisheries licence holder in Newfoundland, the Maritimes, Quebec and Nunavut (65,000 copies).

The 19 public consultation sessions held throughout Atlantic Canada, Quebec and Nunavut in March and April, 2001, were open to all and a broad cross section of those with an interest in the Atlantic fisheries came to the sessions and expressed their views.

The same format was followed at each meeting. The meeting began with a brief discussion about the purpose of the meeting and the agenda for the consultation. This was followed by a short presentation which summarized the discussion document (see Appendix A). Registered speakers who indicated they would like to make formal presentations were next to speak (a list of these presentations can be found at Appendix B). Finally, a round table discussion on the four policy themes was held, followed by a brief discussion on next steps including options for additional input.

We indicated that written summaries of the 19 public consultation sessions would be provided to those who attended the meeting and who had signed our registration sheet. This report honours that commitment. The summaries are listed chronologically, beginning with the first session in Dartmouth on March 12 and ending with the session in Iqaluit on April 18, 2001. The summaries are divided into three parts. First, re-occurring issues or themes from the public meeting which include comments from the formal presentations and round table discussions are provided. The themes are included for ease of reference and should not be interpreted as having more importance than individual comments. Second, a list of speakers who made formal presentations and the highlights of their presentations are noted. Third, a summary of the comments provided during the round table discussion organized by policy themes, is also provided.

In addition to holding public consultation sessions, we invited groups and individuals to submit written comments on the discussion document (with a deadline of May 31, 2001). An alphabetical listing of those who submitted written comments can be found at Appendix C.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Dartmouth – March 12, 2001

Draft Synopsis

Themes arising from the Session

- Continued involvement and responsibility/accountability of DFO in fisheries management.
- Greater involvement by “coastal communities” in the fisheries management process.
- Ecologically sound management goes beyond conservation - to sustainability.
- Traditional participants should have first consideration in a recovering fishery
- Access and allocation is Minister’s role and responsibility; “listen to us but take the responsibility for the final decisions.”

Registered Speakers - Dartmouth¹

- Peter Stoffer, M.P., Sackville-Musquodoboit Valley – Eastern Shore
- David Coon, Conservation Council of New Brunswick
- Don Aldous, South West Nova Scotia Tuna Association
- Howard Epstein, MLA for Halifax-Chebucto
- Earle McCurdy, Canadian Council of Professional Fish Harvesters
- Michael O'Connor, National Sea Products
- Dr. Martin Willison, School of Resource & Environmental Studies, Dalhousie University
- Joanne Weiss, (graduate student) School of Resource & Environmental Studies, Dalhousie University

What we heard in the Presentations

- It is unfortunate that Aboriginal organizations are boycotting these sessions.
- The AFPR process is a good process, but deep suspicion about it exists. Need to eradicate total lack of trust between those who make a living from the sea and those who have the constitutional responsibility to look after the sea.
- DFO needs to further decentralize to the regions.
- The Canadian Coast Guard is very important to coastal communities
- The *Marshall* decision created fear and uncertainty. DFO’s policy of negotiating without involving the fishing communities made things worse.
- Oil and gas development must not proceed without input from the fishing community. There is much concern about the impact of oil and gas development on important, ecologically sensitive areas such as George’s Bank, the Gully, and the coral reefs. They must be protected.
- The seal hunt is a difficult issue because on one hand, there is the need to protect and promote salmon habitat and on the other, a cull would destroy markets by creating a backlash.

¹ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- With respect to resource allocation, we must be wary of corporate concentration.
- The battle between DFO Science and Resource Management has gone on too long. Partnerships should be developed with universities.
- Aquaculture holds great promise as an industry. One constraint is the apparent battle within DFO between traditional fishery managers and aquaculture managers. This is unfortunate because DFO has to take a leadership role in this field.
- Fisheries management needs to take account of two priorities: healthy ecosystems and human communities. These priorities need to be considered together to find optimum solutions.
- The discussion document ignores many important things. People outside of industry are called “other interests”: this is inappropriate.
- Providing a definition of conservation is an important step forward however, conservation alone should not be the top priority; restoration must have equal importance; fishing communities should have the authority to oversee this approach.
- Shared stewardship – it is in the context of community-based management that ethical values can come into play. Industry stewardship won’t promote shared stewardship values.
- The health, viability and self-reliance of coastal communities must take priority. The sustainability of coastal communities is more important than individual enterprises.
- Decisions on how to balance objectives for fisheries management should not be made by government but by communities. Coastal communities must be charged with stewardship of the resource. The greatest contribution to the national economy is strong, vibrant coastal communities.
- Don’t use punitive licence fees. Instead, use royalties based on catch levels.
- The public resource should be protected by guaranteeing access and allocation priority to coastal communities, having respect for Aboriginal and treaty rights. New institutions will be required to implement this plan. The model is a transfer of wealth to a local public domain with clear accountabilities. The advantage of this model is that licences and quota would be held in trust for the community, factoring in the concepts of trust and perpetuity. Management of the fishery should not go to private industry, and because of this imperative, the co-management model in the discussion document is flawed. Fishermen’s groups must play a central role in the coastal community model. There would be three levels of governance nested within each other: a community fisheries board, a regional fisheries board, and an offshore fisheries board. Fishing activity and habitat considerations must be linked to the power of these boards. The discussion document doesn’t do this.
- The AFPR is full of goals common to all fishermen, and tuna fishermen have been trying to accomplish them for years. The discussion document articulates existing policy. There is nothing new or scary in this paper.
- To effect real change, need to persuade DFO’s Conservation & Protection Branch (C&P) to let go. It is hard for people in power to release the reins of power.
- Participants in the tuna fishery are ready to take on the challenges of real co-management.
- Before trying to implement the AFPR, it was suggested that hearings should be held within DFO to create receptive conditions for implementation.
- Both DFO and the industry have to come to terms with the need for change.
- There is broad endorsement for the conservation definition in the discussion document.

- Of all of the uses of oceans resources, the fishery is the most important one because it represents food. Also, the fishery is a renewable industry whereas the oil and gas industry is not.
- Fishing gear types are a crucial consideration in the health of an ecosystem. This is why fishing gear should be subject to an environmental review (s.35 of the Fisheries Act) and if the result is to prohibit certain gear types, e.g., dragnets, DFO should compensate those adversely affected.
- Bycatch is an important problem not identified in the discussion document. C&P and the Observer Program are the checks and balances in the need to manage bycatch issues.
- Vibrant coastal communities are highly valued in Atlantic Canada. In addition to efforts by provincial governments, DFO should take a hard look at the issues of corporate concentration, gear types, and distribution of wealth.
- While the growth of the aquaculture industry is noted in the discussion document, what is missing is any critique of this industry
- Bringing First Nations into the commercial fishery is bound to help people who have been marginalized. The process for doing so has to be seen as open, transparent, and fair.
- One of the fundamental issues in the discussion document is the devolution of decision-making authority by DFO. While there is considerable support for this, the discussion document sends mixed signals, e.g., saying that DFO should get out of access and allocation arrangements while at the same time saying that DFO needs to retain control.
- There is disagreement with DFO getting out of access and allocation. It is part of the department's parliamentary responsibilities. There is agreement for spelling out the basis on which access and allocation decisions are made.
- Agreement with DFO's conservation goals as stated, in addition, enshrining principles such as the independent owner-operator and fleet separation policies will contribute to the long-term viability of the fishery and fish resources as well as the people and communities who depend on those resources.
- Responsible fishing practices which are encouraged through provincial professionalization programs will assist in the conservation, sustainability and long-term viability of our fish resources, the fishing industry and our coastal communities.
- A fishing licence is a licence to fish and should not be handed out to people who have no intention of fishing and no background in fishing; fishing rights are a heritage of coastal communities, not a commodity to be peddled in Toronto like shares in the high technology industry.
- The discussion document makes disproportionate reference to new entrant users: aquaculture and recreational fisheries while FRCC has recommended against an increased recreational (food) fishery.
- The AFPR final report should include confirmation of the fleet separation policy for <65' vessels. Fish processing companies and other investors are buying up fishing licences through under-the-table financing arrangements that circumvent this policy.
- Loopholes in the fleet separation policy should be plugged, the first principle and highest priority governing resource management for the Atlantic coast fisheries must be to provide fishing rights to people who fish.
- DFO should enact regulatory or legislative changes to ensure that commercial fishing licences issued for boats <65' are held by owner-operator headed enterprises. The owner-operator policy has to be the foundation on which any Atlantic fisheries policy is built.

- DFO (or the Federal Government) must come up with a plan to deal with the fact that 35% of the country’s fish harvesters will be reaching retirement age in the next 10-15 years. The cost of entering the fishery will be prohibitive for the next generation of harvesters. The government should be looking at a capital gains exemption for intergenerational transfer of licences and a national fish harvesters’ retirement savings plan.
- DFO should change its timetable and process for the development of the Atlantic Fisheries Policy Review to include a multi-stakeholder policy roundtable.
- Canada’s fisheries policy should be guided by a clear statement of purpose based on notions of ecological, social and economic stability.
- DFO, in collaboration with the Canadian Council of Professional Fish Harvesters, should undertake a series of information sessions on professionalization for DFO personnel at both the national and regional levels.
- DFO should make professional certification a condition for participation in the commercial fisheries under its management in all regions where fishermen led professional certification boards are established; such boards should be established in all regions of the country.
- The existing External Advisory Board to the AFPR should be disbanded and replaced by an Atlantic Region fisheries management policy and planning body comprised of representatives of legitimate industry organizations and other direct stakeholders, to direct the development of the new fisheries management policy framework in Phase II of the Atlantic Fisheries Policy Review process.
- Allocation decisions should continue to be the responsibility of the Minister of Fisheries and Oceans, subject to allocation policies and priorities that are clearly identified and made public.
- The AFPR should recognize the reality that the fishery is dominated by multi-licensed enterprises and should recommend that policy be developed to optimize the prospects for financial stability of the various fleet sectors which make up the Core fishery.
- Overall, the discussion document is a good starting point and probably overdue.
- The goal of promoting sustainable and conservation oriented fisheries and an economically sound industry is achievable if it is shared by all industry stakeholders and supported by clear and comprehensive fisheries management policies.
- There are objections to broadening the stakeholder pool in the fisheries management decision making process beyond those with a traditional presence in the commercial fishery.
- It is paramount to first obtain ‘best use’ objectives within the commercial fishery before considering expanding the number of stakeholders with access to the fishery.
- The new policy must encourage the expanded use of self-regulating or self-adjusting systems (examples are quasi property rights regimes such as ITQs and enterprise allocations).
- NAFO is a poor example of an appropriate and enforceable legislative and regulatory framework for fisheries management. DFO needs to pursue extending Canadian jurisdiction outward or establish a new multilateral organization to replace NAFO.
- Access and allocation decisions are the responsibility of DFO and should be made using proper criteria. Reference to the need to change the existing process by moving responsibility to the fleets enables DFO to avoid its responsibility and accountability for access and allocation decisions, even though the Minister retains final discretion on issuing of licences.

- Newfoundland’s increased capacity to harvest shellfish should not undermine the traditional/historic groundfish harvesters when the shellfish fishery declines and groundfish stocks increase.
- Significant capacity has been removed over the last decade. This should not be viewed by government as an opportunity to introduce new entrants into existing fisheries.
- The access and allocation problems in existing fisheries are directly related to DFO’s tentative approach to the issue.
- Within the constraints of conservation, licence holders and fleets should make their own business decisions and be accountable for the consequences. The concepts of self-reliance and co-management are thus supported subject to allocation and access concerns.
- IFMPs should be left to fisheries stakeholders and another process established to integrate fisheries and ocean access issues such as oil and gas, recreation, eco-tourism, cable laying and mining. The urgency for such a process will vary by region.
- The definition of conservation is adequate, and is supported, but without great enthusiasm.
- The discussion document does not define the term stakeholder and this could cause implementation issues unless remedied. Any such definition should be broadly based and include many fisheries interests.
- With respect to conservation, there are no “spare parts” and no “trash species”.
- Overexploitation is a global issue. Increases in fish production are all rooted in aquaculture. Wild fisheries are already maxed out.
- “Adaptive management” is crucial to retaining healthy marine ecosystems. We can’t be locked into old fisheries management practices which are actually counterproductive, e.g., the destruction of deep sea corals during the course of conducting fisheries because we didn’t understand the importance of them as fish habitat.
- The theme of conservation is apparent in the discussion document.
- The definition of ecosystem-based management needs to be elaborated, in particular to include fisheries management strategies, e.g., the impact of gear on species and habitat. Fishing practices should be tapered to the ecosystem in question.
- The discussion document doesn’t say very much about fisheries closures and it should. It should also talk more about MPAs because they are an ecosystem approach. They are living laboratories and should be used as benchmarks.
- Available and accessible information - there should be one document which compiles all marine conservation initiatives.
- The discussion document is silent on how to obtain cooperation of other government agencies on their participation in conservation initiatives.
- The discussion document needs more elaboration on the internal tensions within DFO, specifically those between science and fisheries management, and how they could be better managed.

What we heard in the Round Table Discussion:

Conservation

- The conservation section needs to be amplified and expanded.

- A discussion of the precautionary approach must be broader than the technical considerations. It should involve policy questions, in particular those related to habitat issues. Current efforts at using the precautionary approach aren't doing this, e.g. the FRCC report on gear doesn't discuss how gear impacts on precautionary approach.
- With respect to developing a conservation ethic, perhaps a community level approach has the potential to succeed because of the potential for moral persuasion within communities around conservation questions. DFO historically has not paid attention to social forces. Maybe there is a need to have social scientists involved with the economists on fisheries policy.
- The entire Atlantic Coast should be considered as an ecosystem. The discussion document does not adequately address the non-fisheries users of that ecosystem and it is not enough to leave it to the Oceans Strategy.
- There are many concerns about aquaculture, especially when the discussion document appears to promote it while at the same time espousing the precautionary approach. Monitoring, licence renewal, and the environmental review process will be crucial tools.

Economic and Social Viability

- This is an area where there is much conventional thinking. The discussion document goes beyond the status quo and that is good, e.g., multi-species licensing, diversified fisheries activity, etc. However, the vision painted for rural Canada on p. 23 of the discussion document has not only not been a focus for DFO, at times, through implicit policy and inaction, the department has gone in the opposite direction. The final policy should increase its emphasis on rural communities and decrease its emphasis on industry impacts.
- In view of the fact that the Nova Scotia government has no regulations on finfish aquaculture (which is controversial), DFO needs to be careful in approving these applications. There is a perception that DFO appears impervious to community concerns in aquaculture applications. This makes the environmental review process even more important.
- The definition of community has to be broad – it is not limited to only geographical communities. For example, fleets in specific fisheries can be considered communities.
- It's very important that young people have an opportunity to get into fishery.

Access and Allocations

- There is support for devolution of fisheries decision-making to the extent that stakeholders are able to do so. However, can't see how an independent board can make access and allocation decisions without a great deal of background expertise analogous to that of DFO. Would rather that DFO make these decisions.
- In the end, when addressing policy issues, the question of best use should be determined by the people of Canada, e.g., DFO.
- With respect to stabilizing existing arrangements, this would mean casting in stone arrangements that were made during a period which lacked a policy for best use. Thus, DFO has to be very careful about this approach.
- DFO adds value because it has pre-existing expertise and does not have to reinvent the wheel. What is needed are clear criteria and a certain amount of leadership on

access and allocation issues. As long as the Minister has ultimate power, industry will always descend on him/her, regardless of the existence of an access and allocation board.

Governance

- Governance is tied explicitly to cost recovery. The best way for people to have a greater say is for them to actually pay for it. Cost recovery means better decisions. If you pay for something, you get to control it.
- The flip side of this is the need to involve those not fishing but who care into fisheries decision making. The non-fishermen who are interested must be involved in governance.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Antigonish – March 13, 2001

Draft Synopsis

Themes arising from the Session

- Inshore fishermen comprise the majority of the stakeholders and their interests should be first and foremost.
- In any co-management regime, sharing arrangements in times of abundance need to be built in at the front end of the arrangement.
- DFO never listens - hears and then does what "they" want.
- Concern about *Marshall* – need for greater consultation and input from harvesters.
- Concern about ability of harvester groups to withstand pressure of oil and gas and other large corporate interests.
- "Best use" should not be left just to the Minister; others are involved.
- The fishery is too often used as instrument of social policy; stability in access and allocation helps economic viability.
- Accredited associations should be given preference in the make-up of any management committees.
- Concerns about "forced" professionalization.

Registered Speakers - Antigonish²

- Mike Newell, President, Guysborough County Inshore Fishermen's Association
- Stewart Beaton, Area 19 Snow Crab Fishermen's Association

What we heard in the Presentations

- There are concerns that the result of the AFPR will be the eradication of the small boat fishery.
- DFO needs to stay in charge and in fact, become even more involved in the inshore fishery.
- In any co-management regime, primary access to the fishery should go to the inshore. The membership of any co-management boards or committees should reflect this priority. If the Minister overrules the decisions of these groups, then they are not responsible for either the costs or the outcomes.
- Determination of best use is not just up to DFO; others should be involved in the process.
- Accredited groups should be given preference in the fisheries management process.
- Emphasis must be on adjacency.
- There is general agreement with the tenor of the discussion document.

² Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The definition of conservation is long overdue. It might not be the ultimate definition, but it is a good place to start.
- A large number of past decisions were weighted too heavily in favour of social considerations, probably because fishermen vote and cod don't.
- Stability and profitability is largely the result of strong security of tenure for licence holders. There are current co-management agreements for terms of five years. There is interest in even longer term agreements because it is easier to make effective business decisions. Long tenure would help to lessen the volatility of resource prices.
- Co-management agreements need to build in access and allocation “rules” at the front end of the arrangement, e.g., sharing mechanisms in times of abundance. These access and allocation rules should be tightly and formally defined.
- Fishermen who have had a taste of co-management and shared decision-making say that other fishermen should not be afraid of it. Parties to current co-management agreements went into the process with uncertainties, but came out very pleased. This is because it gives fishermen more say, holds them more accountable, and lets them be heard. Decisions are made in conjunction with DFO.
- There is a need to add a restoration component into the definition of conservation.
- The definition of community should begin with single species fleets and then overlay geography
- Those who are more reluctant to let DFO devolve decision-making authority say it is because they need DFO's clout to help them stand up to oil and gas as well as mining interests.

What we heard in the Round Table Discussion

Conservation

- Security of tenure over long term is something that develops a conservation ethic.
- The responsibility for conservation doesn't start and stop with fishermen. There is no reference in the discussion document to the effects of pollution or oil and gas development. DFO has yet to have any meetings on oil and gas development with fishing groups, yet is signing MOUs with oil and gas companies. There is much concern over the effects of seismic testing on the Scotian Shelf on fish stocks. DFO needs to use and lead the precautionary approach on all uses of the ocean.
- There was considerable support for the definition of conservation and questions as to why it took so long to get this definition. That said, there is a need for the definition of conservation to go further, particularly in light of the fact that oil and gas drilling has already begun in some areas without knowing what the conservation impacts will be.
- It is important for different DFO Regions whose operations overlap to have a consistent interpretation of conservation.
- DFO's decisions are perceived to be too political, particularly when they are made in Ottawa.
- The discussion document needs to mention the word “fishermen” and recognize fishermen as custodians of the fishery.

Economic and Social Viability

- DFO and other government agencies, particularly Revenue Canada, need to treat fishermen like any other businessmen.
- There is insufficient emphasis on the owner-operator and fleet separation policies in the discussion document. This is important because if the people who own the licences don't live in the communities contiguous to the fishery, the profits go outside of those communities. This is contrary to the spirit of the bonafide licensing policy.
- If fishing licences had proprietary rights attached to them, then it would be possible to obtain traditional financing with which it would then be possible to operate.
- What does economic viability mean? DFO has to be careful not to set a prohibitive threshold in this regard, otherwise small operators will be effectively shut out. There is a cost to producing food and that has to be taken into account in defining economic viability.
- Longer term agreements help with achieving economic viability.
- The key to new decision making in access and allocations is for participants to plan ahead, keep in mind what you want to do, and create clear rules at the beginning of each new venture.
- There is concern about using existing shares as the basis for new access and allocations rules, particularly in groundfish, because these are the shares that led to the collapse of the species. DFO has to stop defending these quota shares – they were not established on a solid foundation.
- No one wants to be dependent on one species – there has to be a multi-species approach. Fishermen need as much access as possible, including to ITQs that are not being used.
- As well, fishermen need a mechanism to allow the purchase of parts of a licence, e.g., four fishermen could own one \$3M licence, but each of them have separate operations. Thus, four of them get to be diversified.
- The *Marshall* licence buyback program has made it very difficult for young people to get into the fishery because of the high cost of licences. Currently, the licences are worth more than the boats. It takes an extraordinary level of backers to go buy a licence right now. Lots of young people want to buy their father's fishing operation, but their fathers can't afford to sell it to them. There is sympathy for the desire of Natives to be in the fishery, but there has to be room for others.
- Those who are in the fishery should not have the overriding view that it all belongs to them; others who want in should be considered too.
- Be careful about the policy you make so that it doesn't come back to haunt people. There was the feeling that only those who are willing to bend the rules can get into the fishery now. Any new processes need to be as transparent as possible so people don't have to operate under the table.
- The *Marshall* decision is being settled on the backs of the fishermen. The only ones who have accommodated the natives are the fishermen, but they are the ones who are being criticized.

Governance

- What is troublesome about this theme are the words which imply influence by people outside of the fishery. What has happened with Sable oil and gas development has made fishermen leery of devolution, particularly when supposedly paternalistic DFO is not doing its job right now to keep fishermen informed on developments in the oil

and gas industry. Fishermen are only finding out incidentally about oil and gas exploration activities which could negatively impact on stocks.

- Professionalization is doomed to fail. Everyone knows that you have to train deck hands yourself for your own boat. People who are deckhands didn't want to go to school.
- Licensing should stay in the hands of DFO even though they are not always perfect. At least you can go to one place and have consistency.
- There is very little mention of safety in the discussion document. The licences should be linked to safety and fishermen should be required to meet safety requirements. Smaller vessels are going too far afield with no requirement for safety. A bigger vessel is a safer vessel. Fishermen should be in the safety processes like CMAC.
- There was resistance to DFO's suggestion that fishermen should be more active in decision-making processes because it was felt that DFO doesn't let them do enough of that now. Related to that is the concern that the AFPR is going too fast and should be slowed down to allow fishermen to have more input, perhaps at the draft policy stage.
- We should go home and take the advice of the Spice Girls – “tell them what you want, what you really, really want” – write it down the Spice Girl list and send it to Ottawa.
- Just as there is a difference between the Pacific and the Atlantic, there are differences between Gulf, Scotia-Fundy, Newfoundland and Laurentian Regions. Each Region has gone too far in their separate directions to be brought back together in one document. There should be separate documents for each region.
- It's good that DFO is recognizing that a top-down approach doesn't work, but the AFPR seems to be a top down approach. It will be very difficult to get the broad based support needed for those very important changes with a top down approach.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Sydney – March 14, 2001

Draft Synopsis

Themes arising from the Session

- Support for the principles in the discussion document, but less consensus regarding details of implementation. Conversely, “fishermen are skeptical - same old DFO document”.
- Does not reflect owner-operator/multi-species fleet.
- Independent harvesters more likely to result in sustainable fishery (than integrated, corporations that use processing jobs as a lever on public policy)
- Re: oil and gas industry - DFO should place harvesting fish resources and harvesters as priority stakeholders.
- Precautionary approach requires a closer look at “multinationals” (offshore/mobile fleet) before “historic” access to recovering groundfish allocated.
- Aquaculture management should be federally regulated and harmonized.
- Small, independent harvesters are key to conservation and sustainability.
- DFO enforcement is very important to conservation.
- Too little recognition of “fishermen” as top priority among stakeholders independence of harvesters and fleet separation vital to sustainability.
- No support for allocation boards.
- Native access licence buy-outs have raised costs of licences and introduced a barrier to entry for non-native fishermen.

Registered Speakers - Sydney³

- Jeff Brownstein – President, Local 6 Maritime Fishermen’s Union
- Gord MacDonald – Area 30 Fishermen’s Association/Area 23 Snow Crab Fishermen’s Association
- Jack Coffin – Stewards of St. Ann’s Harbour Association

What we heard in the Presentations

- There is skepticism and mistrust about the AFPR because it is not a process independent of DFO.
- A belief that this is the same old DFO proposal, reflecting none of the concerns of the broad-based, multi-species, owner-operator fishermen’s organizations.
- The precautionary approach is not being applied by DFO with respect to oil and gas exploration and development. This is very troublesome. Fisheries should have priority in the best use of ocean resources.
- Our lobster fishery is a great example of sustainability which may be due to the fact that it has been controlled by fishermen at the community level more than any other fishery. When the rules come from the fishermen, they are more likely to be respected. Effort controls have proven themselves far more reliant than quota management.

³ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- Gear technology issues have not been addressed in the discussion document.
- There is opposition to entrenching current fleet shares, particularly in groundfish because that means that those who did the most damage to the resource before its collapse in the early 90's will be given security of tenure.
- The Minister needs to retain his/her authority over fisheries allocations and access, since the resource remains public. There is no support for an allocation board.
- There is support for community-based management and for sharing of decision-making, but more time and resources are needed in order to build capacity. This has to happen so that fishermen can participate as stewards of the resource.
- In co-management, every fisherman has to have a voice and groups have to be accountable. Also, flexibility is central to making co-management work - one size does not fit all.
- DFO has to recognize the larger organizations and/or umbrella groups that can move forward in the direction of constructive co-management, with accountability to all fishermen. It goes without saying that there is a need for capacity building within these organizations.
- The discussion document is filled with references to making a place for recreational fishermen, aquaculturists and eco-tourism operators. Nowhere in the document will you find the word “fisherman”. While there may be a place for these other interests, recognition should be given to the importance of the owner-operator fishermen of Atlantic Canada.
- DFO is helping to keep First Nations and fishermen apart when they should be working together as a community.
- The discussion document is an excellent beginning.
- Conservation is paramount and is predicated on enforcement, prosecution and punishment. Otherwise, conservation is not sustainable or viable.
- The rules around shared decision-making need to be adaptive. When the rules become too rigid, people look for loopholes and this creates management problems.
- There is much support for shared stewardship, but DFO will have to reduce its paternalistic attitude.
- DFO needs to respect the individuality of fishermen and not try to force them into one structure.
- Good science is predicated on open, honest communication.
- Without adequate deterrents, there is no conservation.
- A fishery based on the small independent fishermen is preferable because it's intrinsically conservationist, the quality of the product is better, and the benefits are not concentrated in a select few.
- DFO Fisheries Management has become a slave to legal interpretation. This causes problems because these interpretations are often contrary to the intent of the law. For instance, the rules requiring only small boats are ridiculous because they are contrary to the safety mandate of the government. If a fisherman can afford a bigger boat to stay safe, he should be allowed to use it.
- DFO should keep out of professionalism and building management capability within industry. “This is our job, not yours.”
- The problem with big fisheries organizations is that a few make decisions for the many and the few do not always speak for the many.
- On shared stewardship, fishermen need to be prioritized in making decisions. Those making the most investment should have priority when decisions are being made. Openness and transparency are key for fishermen to participate effectively.
- On conservation, the business case for avoiding fines through conservation is just not there because the fines are too low. Sanctions worked and should be allowed.

- DFO is to be commended for the range and completeness of the discussion document.
- There is much concern about aquaculture development. Aquaculture law needs to be uniform and moved to federal jurisdiction. DFO should define its role, not dilute it. Also, there needs to be a clear system of standards and much more clarity about the meaning of “sound scientific advice”.

What we heard in the Round Table Discussion

Conservation

- There was major concern about oil and gas development and DFO’s lack of leadership in this area. DFO should be coordinating the activities of all levels of government because governments are currently tripping over each other. DFO should be doing the environmental review and the proponent should pay for it. DFO will have no credibility on conservation unless it addresses the oil and gas issue. DFO must not sign away its responsibility.
- Conservation is meaningless without meaningful enforcement. If Fishery Officers don’t have enough money for gas for their boats, conservation won’t happen. But fishermen also have to enforce themselves.
- Government scientists continue to be muzzled. The independence of science is key and is not happening.
- Since the last major fisheries review, the policy direction was towards the bigger vertically integrated fleet and that’s been hard on conservation.
- The precautionary approach goes further than saying, “Let’s be careful”. It also means taking decisive action.

Economic and Social Viability

- The definition of stakeholder is important, because otherwise co-management agreements are reached behind “closed doors”. The process for reaching co-management agreements is a key consideration. DFO cannot exclude people from the table when the topic under consideration will have a major impact on their lives. People can’t be excluded from these types of decisions, particularly when the fishery is a common property resource owned by everyone in Canada. There must be a much different process to implement co-management.
- Implementation of the AFPR will be the key challenge. Co-management has been tried in many places, not always with success.
- Fishermen are stakeholders and important ones, but they are not the only ones. Co-management has to include other stakeholders such as fishermen’s families, secondary industries, and other levels of government.
- For co-management to work, we have to be able to define and implement the precautionary approach.
- In the current decision making process, the traditional licence holders do all the work, but when it comes to the “bread” created by all of their work, everyone wants it. The investments of traditional licence holders are not recognized. Also, the community at all levels needs to be brought into the process for decisions.
- We have been too interested in laying the blame. We need to release people from their mistakes and allow everyone to move on.

- This is a crucial area of the AFPR. The concepts of sustainable use and economic and social viability have to be combined. It's impossible to talk about economic self-reliance in the fishery because of fluctuations in the resource. Need to strike a balance between sustainable use, economic self-reliance and social objectives.
- Non-licence holders are interested in conservation. There has to be a real distribution of the wealth in communities. Licence holders are not the only interest group.
- There has been destruction of the fishery caused by indiscriminate fishing by multinationals and DFO has to really crack down on these practices. If DFO succumbs to corporate pressures, there won't be any fishery.

Access and Allocation

- Current sharing arrangements don't need to be codified – they need to be rethought because they are not established on a solid foundation and they don't make sense. Best use may mean redistribution of shares. DFO will never reach the objectives of conservation, orderly management and shared stewardship with the current fleet shares.
- There is opposition to arm's length allocation boards. One of the big problems with an arm's length allocation board would be endless legal costs for those unable to bear such costs.
- The current cost of licences makes it prohibitive for the younger generation to enter the fishery.

Governance

- Licence holders are one group of stakeholders, but they don't have exclusive control.
- The native buyback program has driven up the prices of fishing licences to the extent that their price is now a significant barrier to new non-native entrants. This is a particular problem for inter-generational transfers. Solutions must be found because otherwise multinationals might be the only ones wealthy enough to buy licences.
- There are governance issues on aquaculture matters, particularly siting. The need for the province to take account of all interests before granting major aquaculture leases was highlighted. As well, there are concerns that ownership monopolies might develop and this is seen as undesirable. A desire was expressed for the federal government to have a greater role in aquaculture.
- Are fisheries stakeholders prepared for co-management? Co-management is not a simple, small thing. It is not defined in the discussion document nor is the word “partnering” used.
- Current co-management agreements are based on single species/single area. There is the resulting outcry about closed processes from those excluded from these agreements. Further, not only is the ecosystem approach undermined by single species co-management, but it is also difficult to balance economic and social interests when co-management agreements deal only with single species.
- In working towards shared responsibility, it's the licence holders who are most directly affected by decision making. Therefore, if there is going to be shared decision making, licence holders have to be at the table and they need to take responsibility for their own fate. It's DFO's job to ensure voices of non-licence holders are heard in order to have balanced governance arrangements.

- However, not everyone has faith in DFO looking after the interests of non-licence holders. When these interests are excluded from co-management arrangements, there is a lack of transparency in the process and a resulting loss of faith in DFO.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Yarmouth – March 15, 2001

Draft Synopsis

Themes arising from the Session

- Costs of licenses (driven in part by licence buy-outs for Aboriginal fishery) present a significant barrier to entry for crew and capital gains burden for families.
- Regulation of gear type must be seen as tool for conservation.
- Fleet separation and priority to owner-operator fleets provide for economic and social viability of fishing communities and the greatest return to the greatest number of participants. Enterprise allocation has provided processors with revenue stream at the expense of fish harvesters.
- Any fishery policy should not be a “one size fits all” policy that micro-manages every licence holder. Fleets should be given the autonomy necessary while ensuring that they follow the basic principles of a Canadian fisheries policy.
- Allocation decisions belong to the Minister - not the industry or allocation boards.
- Community-based management should be supported within the policy framework.
- Fishery management requires one set of rules governing natives and non-natives.
- Discussion document reflects significant advances and right direction.
- Once allocation is decided, conservation will follow.
- Need to research aquaculture’s effects to answer questions and allay fears of traditional fish harvesters.

Registered Speakers - Yarmouth⁴

- Shawn Symonds, Woods Harbour, Shelburne Co. speaking on behalf of full time fishermen who do not own commercial fishing licences.
- Mark Butler, Ecology Action Centre
- Herald Theriault, Bay of Fundy Inshore Fishermen's Association
- Graeme Gawn, Maritime Fisherman's Union Local 9
- Jan Slakov, Box 35, Weymouth, NS, President, Enviro-Clare
- Denny Morrow, Nova Scotia Fish Packers Association
- Jean Guy d'Entremont, Inshore Fisheries Ltd
- Vince Goreham, Independent Fisherman
- Wayne Spinney, West Nova Fishermens'Coalition and LFA 34 Lobster Committee
- Sterling Belliveau, Warden, Municipality of the District of Barrington
- Evan Walters, Scotia-Fundy Inshore Fishermens' Association

What we heard in the Presentations

- For non-natives wishing to enter the fishery by purchasing a licence, there are many barriers to doing so such as the cost of licences (particularly since the *Marshall* buyback program) and the lack of financing. It is ironic that fish is a common property resource, but no one except those who are wealthy, who have access to the

⁴ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

Minister or who are aboriginal can afford to participate as a licence holder in today's fishery.

- Crew members are particularly frustrated with these barriers to entry. They feel they are a forgotten voice in the debate about Atlantic fisheries policy reform and that they should have a voice in the management of the resource. They are also being displaced without compensation because of the *Marshall* buyback program.
- The dragger fleets should be stopped from destroying the ocean floor and killing millions of juvenile fish; the gillnet fishery should also be stopped. Both these fleets should switch to less destructive gear.
- DFO should allow the hook and line fishery to catch an amount of fish per day, instead of giving them their quota in tons; this would eliminate high grading at sea.
- DFO should consider the prey species – if you over-fish them, other fish will have nothing to eat.
- DFO should establish what is meant by a moderate livelihood and allow all stakeholders to make a living from the fishery.
- Licences should be distributed on a fair and equitable basis: corporate concentration should be avoided.
- There is support for the definition of conservation and the five key points in discussion document, but concern remains on the issue of implementation, particularly if there are no changes made to the Fisheries Act.
- DFO must demonstrate that it has the capacity to change in ways that are truly positive for the ecosystem and the fishing industry.
- The impacts of gear technology should be a major consideration in implementing the ecosystem and precautionary approaches. DFO should begin the task of ranking gear types/fisheries according to their ecological impacts.
- The practices of dumping and discarding are alive and well and need to be a major consideration in the enforcement of quota management. DFO should conduct an independent review of quota management, including ITQs, and the alternatives.
- Funding for enforcement is key for the conservation and protection of wild fisheries. DFO should increase its enforcement presence in offshore waters in Atlantic Canada, particularly to carry out at-sea boardings.
- Fisheries, if conducted sustainably, can be carried out forever. Extraction of non-renewable resources, such as oil, is a finite activity and should not be pursued at the expense of the fisheries. DFO should accord a high priority to fisheries when permitting human activities in or on the ocean.
- DFO should actively support the creation of locally controlled, democratically run and publicly accountable institutions which would strengthen the transparency and accountability of the fisheries management process.
- Management of the Aboriginal fishery is a big, complex issue. There is disagreement with DFO's approach to *Marshall* First Nations. Some think that DFO needs to be more respectful to First Nations. There is also the view that the fishing industry needs to be at the *Marshall* negotiating table.
- Part of implementing the AFPR means giving conservation groups a seat on all fisheries advisory committees.
- There is general agreement with many of the new policy directions. At the same time, there is concern about some of these principles and also concern about some of the omissions in the discussion document.
- There is support for the direction and definition of conservation. But there is a need to refer to harvesting technologies as a factor in conservation; some harvesting technologies are inherently more supportive of conservation than others (i.e. hand digging of clams versus mechanical harvesting, handlining versus otter trawl, etc.).

- On economic viability, there is agreement that a “one size fits all” approach does not work. However, there is a strong perception that DFO policies favor big business over small business. It is important to define viability broadly to include the well-being of coastal communities.
- Fisheries should be based on a broadly defined concept of viability based on the creation of moderate livelihoods (household incomes, rather than accumulation of wealth), while keeping within the limits required for long term sustainability of the resource.
- Federal policies should provide a capital gains exemption for inter-generational transfer of licences for fishermen, as it does for farmers.
- On access and allocation, the discussion document doesn’t talk about the historical attachment of coastal communities to the fishery.
- There is no mention of the fleet separation policy and of its serious erosion in Nova Scotia. This policy and that of owner- operator are key to coastal communities.
- Allocations should be re-opened and re-assigned based on historical attachment, adjacency, fairness, equity and economic viability of existing participants. The offshore should also be required to contribute to the cost of bringing First Nations into the commercial fishery.
- On governance, there is agreement with the overall policy direction, including the five principles with one exception - community based management is fundamental. Community based management should be defined in the fisheries policy framework, to include management responsibility for key areas of management authority, including access, harvesting, compliance, local policy and conservation.
- There is opposition to the codification of existing sharing arrangements, in part because of disagreement with past access and allocations decisions.
- Opposition to ITQ and EA policies, as they have been implemented mainly because of concentration, leasing, the resulting shifts in effort, the unfairness of allocations and the effects on communities.
- Allowing non-fishermen to hold fishing licences and allocations has a perverse effect on both conservation and fishermen’s incomes. By allowing “absentee landlord” arrangements, government is allowing the siphoning off of income from the pockets of those whose skills, knowledge and hard work generate the wealth from the sea.
- The word fishermen is not used in the discussion document. Regardless of the term used (licence holder, industry participant), they must be actual fishermen. The current loopholes which allow companies to buy licences and allocations must be eliminated.
- The owner-operator and fleet separation policies are key to ensuring that the benefits of the fishery are shared broadly amongst the independent professional fish harvesters of our coastal communities.
- There is no support for allocation boards. Allocation must be done fairly by the Minister; anything else puts the fox in the henhouse. But, the Minister has to establish clear principles around these decisions. The first principle is conservation, which implies an ecosystem approach. The principle of adjacency is of utmost importance and must be given prime consideration. Maximized employment in both the harvesting and processing sectors is another important principle; priority access should be given to the inshore owner-operator fleets.
- Industry representatives welcomed First Nations to the table as full partners, but state that conservation must not be jeopardized for the sake of First Nations’ pride, nor ours.
- Over the next decade there will be a large turnover in the owner-operator fleets. Capital gains tax reform, a “registered vessel replacement savings plan” and

government-backed longer-term amortization of licence acquisitions are some things which are needed to allow future generations to prosper in the fishery.

- All relevant arms of the federal government need to work together on the professionalization file to ensure that they are not inadvertently working at cross purposes.
- There is some skepticism about the AFPR process which could be alleviated by DFO taking more time and not rushing through the exercise. An Atlantic Region fisheries management policy and planning body comprised of representatives of legitimate organizations should direct the development of the new policy framework in Phase II of the process.
- An essential part of any new policy must be to facilitate dialogue among people who care about the ocean and the fishery.
- Social justice should be factored into the economic viability debate.
- On the question of destructive fishing gear – use the appropriate gear to promote environmental conservation. An eco-labelling system should also be considered.
- There is much concern about oil and gas development. Buffer zones were suggested as a potential tool to lessen harmful impacts and to protect inshore stocks.
- The fishery is currently managed to suit the interests of big corporations. This approach should be abandoned in favour of one based on community management; DFO should foster the development of systems which would allow community-based co-management to work.
- The principles that are expressed in the discussion document reflect what is already happening in the management regime; DFO is sincerely trying to work with the industry to develop a management regime that recognizes the important role that the industry can and must play.
- The codification of existing DFO policies and allocation arrangements should have been done by now. At this pace, the AFPR will take years.
- Good science is essential; a pre-condition for achieving conservation objectives is good scientific information. Scientists need to increase the involvement of fishermen in the research and analysis process. Progress has been slow in this respect.
- Even though many say they want the political element eliminated in decision-making, that won't happen. However, it is still possible and necessary to have clear decision-making criteria for access and allocation decisions. DFO also needs to be more open and transparent about its social and economic objectives.
- Enforcement responsibilities should remain with the federal government and its duly constituted enforcement agencies. Proper enforcement is essential if DFO is to have any success with its conservation mandate.
- For access and allocation dispute resolution, an arm's length mechanism may be an improvement, bearing in mind that there will always be an element of the political to reflect the social and economic objectives of the government. Decision guidelines for the panel or board would have to be very clear.
- The AFPR needs to take fresh look at fleet separation to see if it works. Fishermen can buy and operate fish plants, tank houses and lobster pounds, while processors are not allowed to hold fishing licences.
- First Nations and non-natives need to fish according to the same rules and seasons. Those rules need to be clearly spelled out. There should be one enforcement body for all fishermen, with an expectation that penalties for violations will be consistent regardless of the race of the fisherman.
- Agree and approve of the directions taken in the document. The fishing industry on the Atlantic coast has grown since the 1982 Kirby Report and DFO fisheries policy

has not evolved at the same rate (example was sanctions policies where we have taken steps backwards when administrative sanctions were revoked by the courts). The proper legislation must follow the new policy.

- Not only has the industry grown, but we are more diverse than ever; fleets have not experienced the same degree of change Atlantic-wide. Some fleets are on DFO-administered ITQ systems, while some are managed under industry administered ITQs. There are Management Boards, Enterprise Allocations, effort regulation, and competitive fishery.
- Each fleet has its own set of problems to overcome; for some over-capacity still exists, others have monitoring deficiencies, while others find themselves with enforcement deficiencies. There is a question of fairness when all fleets and sectors do not pay the same value of access fees even when it is for the same fish.
- Any fishery policy should not be a “one size fits all” policy that micro-manages every licence holder. Fleets should be given the autonomy necessary while ensuring that they follow the basic principles of a Canadian fisheries policy.
- The Atlantic fisheries policy should be a framework that benefits present and future generations of Canadians for the long-term. Please ensure that “conservation and sustainable use should be the cornerstones of fisheries policy” are not just “lip-service”. If we squander the resource, we won’t have a fishery. Canadians should come first! The fishery has to be protected from foreign ownership.
- Stakeholders should be involved in all processes of policy review such as access and allocations, RAP, conflict resolution, etc.
- “Best use” decisions must reference the global marketplace or otherwise businesses won’t be able to be viable – we must remember that the Canadian fishing industry does not live and operate in a vacuum. This is one area where the fishing industry can input.
- It is important that the impact of different aspects of the Aboriginal fisheries be clearly defined to the point where the rules of the game were spelled out before we play.
- Intergenerational transfer is becoming too expensive and is now another barrier to new access.
- DFO’s current policies benefit big businesses and their shareholders, not fishermen.
- There was discussion about using fishing licences as collateral for loans and the current barriers to doing that.
- Better communication between DFO and fishermen is essential. One example is the Nova Scotia Loan Board issue.
- Conservation policies should be developed by DFO Science in coastal communities, not in Ottawa. More research is essential.
- On the topic of aquaculture, while there is potential in it as an industry, there are many questions that need to be answered before embracing it fully.
- The current commercial licencing policy leaves too much room for back room deals. As well, it is inefficient, especially in respect to the development of new species and the “draw” system.
- First Nations and DFO shouldn’t be creating a two tier system. Society won’t accept that proposal. Communication between industry and DFO is a serious issue and improvements must be made. The historical attachment of non-natives to the fishery is not being considered in the policies around the native fishery. Jim MacKenzie needs to visit the non-native communities.
- Nothing will work but one set of laws. Two sets of laws have not worked anywhere in the world. Equality between all Canadians is the key. The principles of the discussion document will only work if all are equal. Any enforcement activity has to be for all people.

- Industry is being offered several new fisheries management plans, but they need to be aware of how those will be impacted by the Aboriginal fisheries policies. All need to be aware of all of the rapid changes happening.
- There’s a lot of good stuff in the AFPR which is important because current policies are not working. They separate groups and communities instead of bringing them together, e.g., the AFS. It is essential that DFO’s policies reflect our hard work. Surveys and test fisheries done on a self-funding basis by fishermen need to be recognized.

What we heard at the Round Table Discussions

Conservation

- Conservation has to be defined in a number of tiers with linkages. Some can’t be defined in an open forum of rivals because there’s no way DFO’s going get the industry to agree on micro issues.
- This is a stove-piped, single-species licensed industry right now. The discussion document is laid out properly, but it needs to focus on the high level. As it rolls down, leave it to stakeholders to work out the issues, especially on the short strokes for particular sectors. The goal posts will continue to shift as industry gets more information.
- ITQs are held up as being good for conservation, but what is not recognized is that in some cases, the crew is paying for the fishery because the crew’s share comes after expenses. They’ll be lucky to get their stamps out of it.
- Owner-operator should be mandatory for all sectors.
- High grading continues to occur because of basic human nature. A person is not going take the small fish when they can take the big one. Instead, DFO should look at limiting gear types and closing some areas to protect them. Areas that have been dragged have flat muddy bottoms.
- One company used to mow down shoreline trees with a cable to get into the shore. As well, the corals are growing upside down on the rocks because the tops are being destroyed.
- The allocation process does not support conservation and has to be done over again. Handliners are decreasing when longliners and gillnetters are increasing.
- Need to define the word “sustainable” and who will determine sustainability.
- The discussion document should look ahead to the next 30-40 years. We want a fishery that will benefit everyone. The discussion document does not go far enough into the future and seems to be targeted at a select few interests.
- We need to use this exercise to correct what is wrong. This is an opportunity to be a model for other countries. Implementation will be costly because past mistakes must be addressed. But other countries forced into this have benefited from this type of exercise.
- The costs to industry were not discussed in the discussion document even though one theme is more industry involvement in science. Capacity among organizations is uneven. In order to take ownership of conservation, fishermen themselves have to be involved, but there’s a cost involved. This affects our viability in the markets. Industry is paying fees and will have to pay more and do more work. This affects the cost to customers.
- The discussion document has some good stuff about conservation, but serious concerns remain about implementation. There is a reluctance to comment until the

AFPR unfolds further. How will the process work? How will DFO fold in all of the information and evaluate it?

- There was discussion around the gear technology used in the swordfish fishery and whether DFO's decisions were consistent with the precautionary approach and an emphasis on conservation.
- A conservation ethic will emerge once the big access and allocation issues are settled.
- Conservation is a mighty big word and often the debate around it is quasi axe-grinding over allocation.
- The Minister is ignoring his responsibility on this role. He is not allocating enough resources for Fishery Officers. The Minister must understand that money for science and enforcement does not mean cost-recovery.
- Conservation is a very difficult topic to evaluate or measure. Few people have faith in science.
- Some quota owners do not necessarily agree with the quota system. Quotas don't manage fish; they manage fishermen.
- The owner-operator policy is inherently supportive of conservation because if the licence holder wants time off, the fishery is going to have time off. With Enterprise Allocations, there's no time off because the companies will drive those boats year round.
- There are some concerns about the precautionary approach buzzword because of the possibility that it will be applied in an unbalanced manner.
- Another aspect is oil and gas. They are going to be using the water column and the dangers that exist are unbelievable. We don't know the effect or the risk. The counter argument of a compensation fund is not good enough. Strongly suggest that a wild figure of billions of dollars should be set aside purely for fishermen so that coastal communities could be paid for any losses that might incur.

Economic and Social Viability

- Capacity building and training are really important to prepare for the future. There is a need to construct local facilities to teach boat building, navigation training, upgrading of existing skills and education, science and research techniques.
- The fishery should benefit Canadians as much as possible. For transboundary resources, DFO should take the lead so that good deals result. When transitions are made, they have to be gradual and not abrupt for coastal communities.
- The fleet separation and owner-operator policies were developed to keep economic benefits in coastal communities where they belong. There's no mention of these policies even though it was raised by the EAB and at other meetings. Have to be suspicious of the discussion document when much of key aspect is left out of the AFPR.
- Concern about native fisheries is alive and well. There is the perception that the government is willing to sacrifice the entire East Coast fishery to settle land claims. Is this what is going to happen and if so, what is the justification? Non-natives feel they have a competitor who operated under different rules without any regard to the economies of the fishery. This is partly because they don't have to pay access fees or any other fees. Non-natives can't compete or survive under that system.
- On the issue of foreign ownership, we have to do something to safeguard the Canadian aspect of the fishery; otherwise we will witness a duplication of what is happening in the Canadian oil and gas industry with the buyout by American interests. Most of our natural resources in this country have been sold to others.

- A purely social fishery is legislated poverty. A purely economic fishery is the Risley model where 75 vessels are reduced to 20. The principles of maximum profit and laissez-faire ignore individuals. Need to find the balance somewhere.
- The oil and gas industry has to file a local benefit plan and an agency holds their feet to the fire on its implementation. Maybe this could be used in the fishery. We need to talk about local benefits. Access to the public resource must equal public benefits.
- Natives haven't been left out of the fishery anymore in the last 33 years anymore than non-natives have been left out. It's not right for our government to give out handouts.
- Our government is giving away our property to oil and gas companies without consulting fishermen even though it was their log books that won the jurisdiction argument.
- The licence holders taking care of the fishery is not good because it is not the licence holders who are the fishermen.

Access and Allocation

- A policy of shifting decisions to allocation boards sounds like the Minister abdicating his responsibility.
- The idea about a local benefits plan deserves thought and discussions throughout communities. The plant owners say that if it wasn't for Icelandic or Norway fish, there wouldn't be any jobs. That's free enterprise. When you put restraints on how much people can own, you are putting restrictions on free enterprise.
- Access will be limited in the future because of DFO's decision to walk away from infrastructure, namely wharves and boats.
- Clear criteria for recreational and aquaculture access should be developed. We don't object to shared uses of the water column. But we struggle with ownership of portions of the water column. There's a real need for some good criteria to be laid out.
- There was discussion about the work yet to be done in Phase II under Access and Allocations. Meeting participants wanted to know if allocations are going to change or stay the same. DFO said that it was not going to reopen past decisions with the proviso that there are a few decisions that remain controversial and therefore will be examined.
- The discussion document as a whole does a pretty good job of proposing what the access and allocation solutions could be. But some people are able to use political access to get favorable decisions. How will this be curtailed? DFO would have much more respect if no one had access to the politics.
- Regarding the suggestion for an arm's length process, DFO might be sending mixed messages by saying that there will be some exceptions to the earlier statement about not reopening past access and allocation decisions. DFO should find a more consistent approach. Any decisions that are reopened need to be reopened based on clear and transparent criteria. DFO can't say some allocation decisions are final and others aren't.
- Best use of the resource should also have to be defined by the application of clear and transparent criteria consistently applied. DFO should use this instead of hiring off quota and playing the quota game.
- The other criterion that should be considered in access and allocation decisions is balance (as laid out in the Oceans Act). This fits with the concept of integrated management. The Oceans Act has a very great bearing on the AFPR. Citizens of

coastal communities have a very great role in helping to achieve that balance through Integrated Coastal Zone Management boards.

- Before aquaculture has guaranteed access, DFO needs to see how this impacts on conservation, especially in respect to finfish.
- The access and allocations theme is key to the other 3 themes: DFO has to settle the access and allocation debate so that the fishery can really progress. The *Marshall* debate will be difficult, but necessary.
- Because the access and allocations “piece” is one of the fundamentals of fisheries management, there needs to be some kind of system that has a framework which is removed from the political milieu. The Nova Scotia Arbitration Act was suggested as a model.
- Regarding the *Marshall* file, the view was expressed that the inshore sector has held the entire burden to date. Why isn’t the offshore taking some of the responsibility for *Marshall*?

Governance

- There is skepticism about DFO giving up power. DFO’s vision of that is making industry pay the bill and DFO keeping the power. Observer coverage is one example of this dynamic. Fishermen agree with observer coverage, but want to be able to sit down with DFO and negotiate where, when, how much, etc. This doesn’t happen. It’s very frustrating because the margins are so narrow now, there’s no room for DFO extras.
- A key point under the Governance section is the question of capacity building. There is nothing in the discussion document that talks about resources for this huge issue. There should be no shift in governance without an accompanying shift in resources. This is not a request for subsidies. Fishermen generate much wealth for the government. There is no disagreement with the general direction in which DFO is going, but there is no cushion to absorb offloading.
- Community and area based management should be specifically recognized in the discussion document and success stories in this regard should be told. There is a desire to see a specific written commitment to community management in the discussion document.
- There was a discussion about whether a debate on privatization would be helpful because the discussion document doesn’t deal with this issue. The Senate said that DFO should take a look at ITQs as a fisheries management mechanism. DFO is perhaps undermining its exercise by saying there are some issues they are not going to talk about. It harms the overall process to say there are things DFO won’t talk about. There should be a debate about ITQs – from soup to nuts. It’s important not to take such a central issue off the table.
- One of the problems with ITQs is that the corporations buy them. Which leads to corporate concentration. Another unresolved aspect of ITQs is that they were put in place when abundance was low. When abundance rises, there needs to be a cap to trigger a sharing mechanism.
- Put time limits on ITQs.
- The importance of local and regional decision-making by DFO was emphasized. Breakdowns occur when a decision has to go to Ottawa. Fishermen believe that the local and regional DFO people understand them better. DFO can’t stretch a blanket over Eastern Canada and think that it’s gonna cover it all. Management decisions need to take place at the local level.

- The individual fisherman has much to contribute to the management decision process, but a vision is needed. Fishermen have to be given the information to make the decisions. When decisions are made by internal DFO processes, there should be an opportunity for rebuttal by the sector affected. This includes the AFPR. Need to ask whether the industry agrees with what you wrote down.
- The implementation of shared decision-making will take time. It means taking the power out of the hands of the bureaucrats in Ottawa.
- The industry is at a crossroad. The DFO may need to take a different approach, but the desire for local management control and decision-making was reiterated.
- When fishermen sit at the table to make the decisions, it should not be a threatening atmosphere. People are not clear on how much power they will get or how this will work. Fishermen should participate in the social construction of the solutions.
- Legislative reform is absolutely necessary. The unfettered discretion of the Minister of Fisheries and Oceans is unparalleled within government.
- Need to have clearly defined rules and some sort of intervention concept. It's on for DFO to have a conservation veto.
- In order for the fishery to go forward responsibly, the Minister has to tie his hands somewhat.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Gaspé – March 19, 2001

Draft Synopsis

Themes arising from the Session

- General support for the principles but concern about how they will be applied.
- A concern that ‘other users’ will displace existing commercial fish harvesters to whom priority access should be given.
- Support for the ‘de-politicizing’ of the allocation process.
- Fleet separation and owner-operator policies should be given more emphasis by DFO.

Registered Speakers - Gaspé

- André Boucher, Regroupe des Pêcheurs Professionnels de nord de la Gaspésie
- Stéphan Morissette, Président, Regroupement des mariculteurs du Québec⁵
- Yvan Bernier, Consultant

What we heard in the Presentations

- A request for clarification of how traditional fish harvesters will interact with First Nations; DFO needs to clarify what is meant by ‘priority access’ and ‘social purposes’, and where the commercial fishery fits in the hierarchy of access to the resource.
- DFO should indicate if and how it will recognize current sharing arrangements (i.e. by province, by fleet, by historical dependence, by species, etc.).
- A regulatory framework for aquaculture, presented to DFO in December 2000, was highlighted.
- If amendments are needed to the *Fisheries Act*, DFO should not hesitate to move forward.
- Support for the themes in the document; it reflects that DFO has been listening but the principles do not go far enough. Suggested inclusions are:
 - Transparency: consideration should be given to the establishment of a separate agency to conduct scientific research which would remove scientific advice from those making management (harvesting) decisions and thus de-politicize the process;
 - Neutrality/impartiality: DFO is both judge and jury and it is time to change the current system of lobbying (for allocations) to one that is open, neutral and impartial.
 - Stability: stability of allocations is required to provide a level of predictability in planning; DFO should consider allocating by ‘fishing community’ and oblige

⁵ A copy of this presentation is available by calling 1-866-233-6676 or by requesting a copy through our web site at www.dfo-mpo.gc.ca/afpr-rppa

landings to a home port. DFO should also consider reducing licence fees in return for an equivalent investment in the community.

What we heard in the Round Table Discussion:

Conservation

- Politics has to be removed from fisheries management; as long as the system is politicized, conservation cannot be achieved and fish harvesters cannot have confidence in the current review. Fishermen’s input should be sought on de-politicizing the allocation process.
- There is little or no respect for what fishermen have been trying to conserve stocks in the past; professional fish harvesters are far ahead of government with respect to conservation - it is not the professional fisherman who destroys the resource, it is the politicians.
- Now is the time to move beyond studies and start acting.
- Scepticism that the definition of conservation will ensure that the use of destructive gear (such as scallop draggers) will stop.
- DFO should look at the impact of various gear types on the resource and develop mechanisms to stop the destruction of fish habitat; any such process should allow for input from citizens.
- A request for clarification of how DFO will handle conflicts between resource users and a concern that the Department is abdicating its responsibilities.
- Commercial fish harvesters developed a code of conduct in 1998 which was rejected by DFO as being premature; now the Department is trying to impose co-management on the industry and withdraw from its management responsibilities.
- DFO should clarify what mechanism(s) it will establish to resolve opposing views on allocation; what forum will exist to which the parties can go; how can impartiality be assured; how can differences between fleets (i.e. inshore and mobile) be settled.
- Better science is needed on all species; the dockside monitoring program needs to be improved.
- When aquaculture sites are being considered there should be consultation with fish harvesters who could potentially be affected by the location of the site(s).
- It is unclear which level of government (federal or provincial) has responsibility for aquaculture.
- DFO is downloading costs to the fishermen; DFO is mandated to conserve the resource and should not expect the fishermen to pay.
- Owner-operator and fleet separation policies should be principles.

Economic and Social Viability

- DFO has done a lot of work and has identified the main problem areas but there is still a long way to go.
- The Department must recognize regional differences; even within provinces situations vary widely. In many fisheries, it is existing fleets who have made the fishery viable; everyone wants into the fishery when it is good.
- If Canada is to remain competitive internationally, particularly against those countries whose wages are very low, subsidies must continue.
- DFO should communicate regulations as soon as they are promulgated as they take effect immediately, currently there is a time-lag; fishermen should also be informed when changes to regulations are contemplated.

- Fishermen have to be viable but not at the expense of the resource; fishermen need to know exploitable levels in advance of the opening of the fishing season.
- Corporate concentration of licences should be avoided and the owner-operator policy should be enshrined as a principle.
- A request for clarification of how the provinces fit into the document (what is their mandate) and a request that DFO should clarify the roles of both levels of government, particularly with regard to economic and social viability.
- DFO should address the discrepancies in earnings in the fishing industry; some fishermen are at subsistence level while others (particularly large companies) make considerable sums of money.
- When DFO establishes a structure to share responsibility for decision-making, this should not add to the already cumbersome process.

Access and Allocations

- The access and allocations process must be de-politicized.
- DFO must consider how it will allocate (what criteria will be used) when there is an increase in the biomass; the industry must be consulted. The instrument – a co-management agreement – already exists to allow this.
- DFO should define what is meant by ‘enterprise’.
- The resource belongs to all Canadians; DFO’s responsibility is to allocate the fish; access criteria must be defined.
- DFO should clarify whether it will be respecting existing sharing arrangements; in the past decisions have gone against understandings and agreements and this should not be allowed to continue.
- A concern about how other resource users could have a place in the fishery; priority should be given to the commercial fish harvesters.
- DFO should include fleet separation and owner-operator policies as principles.

Governance

- A concern that DFO is placing too much emphasis on other resource users and that, over time, these other users could displace the commercial fishermen (as happened with the commercial salmon fishery).
- Fishermen’s groups should overcome the divisions within their own organizations and present a united front when dealing with DFO.
- Doubt that the industry would be able to develop and implement sanction mechanisms; this would have to be far in the future, and would require legal training.
- Aquaculture should be viewed as a development opportunity, and not a threat to the commercial industry as their concern is primarily access to water, rather than access to the resource.
- A recognition that it will take time for industry to develop the capacity to assume greater responsibility for decision-making; training will be required.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Cap-aux-Meules, Iles-de-la-Madeleine – March 20, 2001

Draft Synopsis

Themes arising from the Session

- Owner-operator policy is fundamental, should be a principle and is the basis of a viable conservation program.
- Industry is prepared to participate in the co-management of the fishery (to varying degrees) but this does not mean that DFO can abandon its responsibilities.
- Ministerial discretion should be minimized and criteria should be developed to ensure that the exercise of that discretion is transparent.
- A dispute settlement mechanism is required, but some reservations on independent panels, given past experience.

Registered Speakers - Cap-aux-Meules, Iles-de-la-Madeleine⁶

- Gabrielle Landry, Fédération des Pêcheurs semi-hauturiers du Québec
- Leonard Poirier, Regroupement des pêcheurs propriétaires des Iles-de-la-Madeleine

What we heard in the Presentations

- Overall agreement with the direction proposed in the discussion document.
- A caution that DFO should not confuse industry's willingness to share decision-making (which is desired), with acceptance of the Department abandoning its responsibilities for access, allocation, monitoring and enforcement.
- A reminder that associations offer a means of involving harvesters in decision-making and, while they are prepared to participate, DFO policies and practices have, to some degree, encouraged fragmentation of organizations.
- Before embarking on major changes, co-management arrangements should be codified, the economic viability of existing participants should be protected, as should existing shares.
- Owner-operator and fleet separation policies should be maintained by DFO as they are instruments of conservation.
- DFO should consider a 'reward' to fishermen who conserve the resource.
- Once DFO has established that conservation has been met, the fishermen should actively participate in designing the fishing plan.
- The AFPR provides an opportunity to close some of the loopholes that exist in the owner-operator policy.
- Income stabilization programs exist in the agriculture sector; the same programs should be provided to fishermen.
- Inter-generational transfers of all licences should be allowed, and an exemption to capital gains tax should be sought.

⁶ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

What we heard in the Round Table Discussion

Conservation

- Conservation can be an active process, not simply the absence of harvesting.
- Scientific research and the precautionary approach are pre-requisite to conservation.
- Concern about the exactness of scientific data; DFO will have to work to increase the reliability of scientific data, particularly in troubled fisheries.
- DFO should include fisherman’s knowledge when providing scientific advice.
- Scientific research should continue to be DFO’s responsibility, with involvement from fishermen.
- The current professionalization initiative will likely provide positive results for conservation.
- Market demand should never take precedence over conservation; DFO must always put the resource first, allowing it to go through its spawning cycle to ensure a next generation of fish.
- Corporate concentration of licences must not be allowed.
- DFO should study the impact of various fishing gear on habitat and should promote selective fishing practices.
- As well as focussing on conservation of existing stocks, DFO should focus on restoration of those stocks that are under moratoria.
- The current fisheries management decision-making system needs an overhaul; the policy review is a start.
- Conservation goals should be set for each fishery; once conservation is defined, it must be followed.

Economic and Social Viability

- The Core policy discriminates against non-Core fishermen and processors who wish to acquire licences and become Core; the cost of the licences is an additional barrier.
- Core should be something that evolves over time and should allow 3-4 fishermen to jointly buy licences.
- Vessel replacement regulations are another barrier to becoming economically viable; everyone wants to increase the size and/or efficiency of their boat but along with the size comes the need for increased fishing effort to remain viable, thus increasing the pressure on the resource. The same thing is true for fishing gear; the more invested in gear, the more fish needed to maintain the gear.
- While it is recognized that a commercial fishing licence is a privilege (not a property right), in the real world there is a value attached to the licence which, like any other business, it is normal to retire, sell or buy.
- A concern that, while licence buybacks are normal, the question will still remain as to the value of a licence being given to First Nations bands; are these prices inflating the regular market?
- A concern that if licences are sold, the port of landing may change; First Nations should participate in the fishery within a structured framework.
- DFO should consider a policy that allows for co-ownership of licences; the suggestion was to introduce this in the ITQ 50-55 foot fleet and use volume control to limit access to the fisheries sector.
- Vessel replacement regulations should consider the reality that a modern 60 foot boat is more economically viable and capable of harvesting the same tonnage as a

100 foot boat built 20 years ago; DFO should control the quotas by harvesting capacity rather than boat length.

- A plea for DFO to help single-licence groundfish fishermen; there is no more income support, no more cod and a pitifully small allocation of other groundfish which is not enough for subsistence fishing, and certainly not enough to allow fishermen to be economically viable.
- If future shares of a resource were assured, fishermen might choose to under-fish the resource once economic viability was achieved, in case of a future downturn.
- Co-management agreements must be maintained and should, in some cases, be broadened; the ultimate goal for DFO should be to have joint management agreements in all fleets.

Access and Allocations

- DFO must stabilize access to the resource and de-politicize the allocation process.
- In order to move from paternalistic practices to a de-politicized and transparent method of determining access and allocation, criteria such as adjacency, historic shares, fairness and equity, etc. will have to be defined and weighted. Any access and allocation policy that DFO develops should be applied consistently.
- DFO should make access to the resource more stable; fish harvesters are business people and need to plan for the future; fleet shares should be defined and recognized for a longer period (perhaps 5 years).
- DFO should entrench provincial shares and build on existing co-management agreements; any reservations on abundance or resource fluctuations can be handled within the terms of existing or future co-management agreements.
- DFO should recognize commercial fish harvesters as first stakeholders when access to the resource is being decided, although this should not preclude access by other user groups.
- While it is recognized that a dispute settlement mechanism is required because of the cyclical nature of the resource and its consequent impact on the industry, past experience has not indicated that ‘independent panels’ are the appropriate mechanism. Likewise, the criteria for sharing in an expanding fishery, or the need to accommodate other users, should be clear and transparent.
- There is unanimous industry agreement that the current allocation system must change but it is unclear how industry will be consulted on any proposed replacement system.
- While some wish to entrench historical shares, others feel disappointment how the shares were established within each fleet; when a fishery re-opens based on historical shares the inshore fleet will be penalized.
- Concern that the recreational fishery is expanding (and taking more fish) while the commercial vessels remain tied up at the wharf; DFO should recognize that the recreational fishery accounts for a large number of fish.
- Concern that any new policy on access and allocations will not be able to correct past problems; perhaps the solution would be to apply the current policy differently on a fleet by fleet basis.
- DFO must continue to be responsible for access and allocation; there is a need for rules to be codified and consistently applied.
- All fleets and fishermen are ready for change.
- Before moving forward with any change to the current access and allocation system, historic provincial shares must be settled and agreed upon; in some cases, these shares were established by those no longer fishing.

Governance

- Some fleets are ready now to participate in co-management of the fishery which could be accomplished through existing structures.
- A recognition that DFO must retain its conservation objective and then involve the industry in harvesting decisions.
- The current advisory committee structure needs an overhaul.
- It is difficult (in some fleets) to define who constitutes the industry; in fact it may be easier to agree on principles of conservation and economic viability than on who should have a say in the management of the industry.
- Before proceeding, DFO must identify its stakeholders and with whom it will consult. Traditional commercial fishermen should be the priority stakeholder but it is also recognized that a forum is needed for all to participate, although this is not necessary for all species.
- Associations are ready and willing to assume more responsibility but will need financial assistance to expand current activities.
- Announcements of fishery openings and closures are always made at the last minute; if fishermen were participating in the process, they would have the information in advance and could plan accordingly.
- The federal government should review the safety equipment it requires to be on board all boats to determine if it is really necessary.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Lourdes de Blanc Sablon – March 21, 2001

Draft Synopsis

Themes arising from the Session

- Agreement that conservation is paramount and that fishermen’s knowledge should be considered when setting harvesting plans.
- The term ‘adjacency’ should be defined; the lack of a definition and consistent application is resulting in conflicts between fleets and between fleets and DFO.
- The recreational fishery (‘food fishery’) can have a major impact on the cod stocks and is unfair to the commercial groundfish fisherman.
- Fishermen should be consulted when aquaculture sites are proposed.
- Economic viability is fragile, particularly in this region, fishermen require support and continued consultation with DFO to assist them in becoming viable.
- Strong support for additional participation in decision-making.

Registered Speakers – Blanc Sablon⁷

- Jean-Richard Joncas, President Polyvalent Fishermens’ Association, Old Fort, Blanc Sablon

What we heard in the Round Table discussion

Conservation

- Inshore fishermen have done their share with respect to conservation unlike ‘big companies’ fishing the offshore.
- Fishermen’s views have gone unheard in the past, scepticism that this will change under a new policy.
- DFO should consider how conservation interacts with economic viability; conservation should be balanced with exploitation, while considering the situation of the small boat, inshore fisherman who only has access to cod.
- If the region is to be sustainable, it has to be supported by DFO; the economic rebound is greater in this area than in many others.
- The offshore fleet is still fishing; DFO should look at the broader picture of cod migration patterns and should conduct a review of allowable mesh size.
- If DFO is serious about conservation, all fishermen should be allowed to participate. For example, groundfish fishermen should be allowed to provide advice on conservation of species other than groundfish.
- If DFO proceeds with an ecosystem-based approach, it should consider predator-prey interactions (particularly the affect of seals on cod).
- The food fishery has to be controlled as it is a threat to both conservation and the economic viability of the commercial fleet.

⁷ Copies of this presentation are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

Economic and Social Viability

- Viability is relative and should be compared on a fishery to fishery basis.
- Fishermen should be left to define their own viability based on individual circumstances.
- A plea for DFO proceed with caution when defining the economic viability of a fleet, to consider the needs of the inshore fleet first as the situation in the inshore groundfish fleet is unprecedented.
- While some present supported retention of the owner-operator policy, others recommended that it be abandoned and that crew members be allowed to fish a licence.
- After the various licence retirement programs, it is now normal to have at least two Core fishermen on a boat; the ratio of fisherman to helper has changed and in many cases, fishermen have now merged enterprises.
- DFO will have to define what it means by the term ‘enterprise’.
- DFO should review its policies and eliminate or revise those that have conflicting goals; there are also questions of equity and consistency of policies and regulations between areas, regions and provinces.
- There is inadequate consultation around aquaculture siting and other activities that affect fishermen; if modifications are made within a zone, all who fish in the zone should be consulted.
- DFO should produce and provide timely management plans immediately following industry consultations; under the current system fishermen often receive the plans after the fishing season ends.
- If the commercial fisherman is taken care of, he in turn will re-invest in the community; the fleet separation policy should be retained to ensure that processing plants and companies cannot hold licences and set quotas.
- A ‘one size fits all’ approach to economic and social viability will not work but it is time to start the debate by fleet, by species and by area.

Access and Allocations

- DFO should review its vessel regulations and other policies affecting vessel operations (i.e. under the current system, a fisherman must rent a boat for a full year and can lose a season’s fishing because of a breakdown). Suggestion is that fisherman be allowed to ‘buddy-up’ for the balance of a season.
- An allocation of fish should be given to those who are able to fish it or who can gear up their boat to fish.
- Aboriginal entry into the fishery should require entrants to respect conservation rules and participate in more than the most lucrative fisheries, such as lobster and crab.
- The aquaculture industry has a responsibility to regulate its impact on the marine environment and habitat; siting information should also be communicated to commercial fishermen in the area of a proposed site.
- Commercial fishermen should have priority access to the resource; if it is determined there is a surplus, then other users such as recreational fishermen, should be considered.
- The definition of ‘adjacency’ should be given a priority by DFO and should be communicated to all commercial fish harvesters; all access criteria should be consistently applied.
- Strong recommendation that the Independent Panel on Access Criteria consult widely with commercial fishermen.

- DFO will have to consider whether or not a commercial fishing licence gives the licence holder the right to earn an income; the licence permits the licence holder to fish but not necessarily to make a living.
- DFO should review its Core policy and consider changing the criteria; there is an inequity between Core fishermen and licensed, non-Core fishermen when it comes to allocations and licence retirement programs.
- DFO should base its access and allocations policy and decisions on ‘need’ rather than ‘greed’.

Governance

- Industry should be part of the decision-making process and be able to appeal if they don’t agree with a decision.
- Many parts of the industry are ready now to assume more responsibility.
- Consideration should be given to a separate agency for conducting fisheries research; there seems to be a conflict of interest when both the assessors and managers are in the same department.
- The lack of science and funding for research is becoming a major problem.
- Science’s inability to incorporate fishermen’s knowledge into the assessment process provides a poor basis for decision-making.
- The resource must be harvested in a way to ensure its sustainability; more discussion and consideration should be given to the type of gear used to harvest the resource.
- Every fisherman has different needs and must be able to make decisions for themselves; this all hinges on sharing the resource more equitably.
- While it is recognized that not everyone can be treated alike, fishermen should be afforded the change to make a decent living when the resource is abundant.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Sept-1les – March 22, 2001

Draft Synopsis

Themes arising from the Session

- In the past, DFO has prepared management plans, often without consultation or prior discussions with Innu; paternalism must now give way to dialogue, consultation and co-management.
- Aboriginal people have a right to share in the commercial fishery but will need continued training, financing of vessels and transfer of licences through buy-out programs.
- It is important that resource users agree on the objectives respecting conservation, bearing in mind that, once conservation is assured, the next priority is the Aboriginal right to fish for food, social and ceremonial purposes.
- A wish to avoid creation of two sub-groups of Aboriginal peoples in the Atlantic: one group that receives large sums to respect the application of the *Marshall* decision in relation to the commercial fishery and, another, such as the Innu, that can invoke only its protected ancestral rights to fish for food, social and ceremonial purposes.
- A well-managed, well-administered sport fishery with established quotas and limits on the type of gear used would not be detrimental to the commercial fishery and would give an important boost to the economies of the regions involved.
- The sport fishery is a legitimate partner in the fishery and is conservation-minded; DFO is urged to gradually implement a tidal water fishery in the Atlantic.
- Concern about gear technology and the growing sophistication of harvesting capability.

Registered Speakers – Sept 1les⁸

- Chef Jean-Charles Piétacho, Conseil des Innu de Ekuanitshit, Assemblée Mamu Pakatatau Mamit
- Bernard Poirier, Association pour les droits de pêches aux espèces marines Inc.
- Michel Dion, Association pour les droits de pêches aux espèces marines Inc.

What we heard in the Round Table Discussion

Conservation

- While the good intentions of the department are not doubted, history speaks for itself; there is evidence that the problems that faced cod 20 years ago are reoccurring in the shrimp fishery today.
- Fishermen’s traditional knowledge is a valuable tool in planning and management and should be used by DFO.
- The scientific information available for the northern part of the Gulf of St. Lawrence is almost non-existent compared to the information on the southern part of the Gulf.

⁸ Copies of these presentation are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The effects of global warming on the inshore fishery must be tracked and taken into consideration in fishery management.

Economic and Social Viability

- In order to attain economic viability, better incomes and less stress are needed; a lot of time is spent asking for better working conditions, fair working conditions, resolving disputes among fishermen, dealing with the high costs of licences, the debt load carried by all fishermen – at year end many fishermen are under the break-even point.
- In 1982 we went through a similar consultation process to develop fisheries management policies. At that time, economic viability was discussed and multi-licensing was advocated; this has not made much of a difference to most people.
- The sport fishery provides economic benefit to communities without adversely affecting the resource and could breathe new life into the economies of communities and regions that have tidal waters.

Access and Allocations

- Pleased to see recognition of the sport fishery as a legitimate user of the resource; the British Columbia sport fishery already has a place at the table; a similar process should exist on the Atlantic Coast and recreational interests should be consulted in the allocation decision-making process.
- Agreement that the access and allocation decision-making process should be transparent and consistently applied.
- The owner-operator and fleet separation policies must be retained to avoid corporate concentration of licences like on the West Coast.
- The inshore fleet must be maintained.
- Seals are too numerous; they will have to be managed to allow the cod stocks to rebuild.
- Within the same area, there is a great disparity between fishermen at the lowest and highest income levels that will need to be addressed; different sharing arrangements should be considered.

Governance

- DFO has the time and the professional staff who can work with fishermen to help resolve disputes; its role as mediator and fisheries manager should not be abandoned.
- DFO should also continue its surveillance and enforcement role.
- While the concept of shared decision-making is attractive, there is concern that fishermen will not be able to work together because, as independent business people, they each have their own goals which might make consensus achieving difficult.
- Agreement that more openness is needed in all aspects of the fisheries management system.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Quebec – March 23, 2001

Draft Synopsis

Themes arising from the Session

- General agreement on the principles, with some differences in interpretation.
- The principles of owner-operator and fleet separation are paramount.
- The current and future management of the Atlantic fisheries must reflect a sustainable development approach, thus the precautionary approach to conservation is supported.
- There is merit in separating scientific research and advice from the management (decision-making) body; the FRCC is an example.
- DFO must be involved in resource access and allocation decisions using clearly defined criteria; the process must be transparent.
- DFO must continue to support professional organizations in the fisheries sector.
- Sport fishery associations are not being responded to by DFO and management plans are too late to allow marketing to tourism targets.

Registered Speakers - Quebec⁹

- Audrey Samson/Jacques Brunet, Alliance des pêcheurs professionnels du Québec
- Guy Girard, Société touristique du FJORD

What we heard

- DFO and professional fish harvesters must together agree on a management approach and implement it.
- Greater use could have been made of the External Advisory Board to the AFPR; the discussion document is a product of DFO and does not consider representations made by External Advisory Board members.
- Given the scope of the policy review, additional time to provide comments would have been appreciated.
- General agreement on the principles but two are missing: owner-operator and fleet separation which are fundamental to establish access to the fisheries resource and can contribute significantly to conservation and economic and social viability.
- The principles must be supported by directions aimed at facilitating access to the fisheries for the next generation; access to funding and training for these new entrants are essential.
- Large corporations should not be able to use loopholes in licensing rules to acquire licences and concentrate ownership in the fisheries.
- Fishermen want to see the emergency of a much more positive, stable and transparent context for the fisheries.

⁹ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The current and future management of the Atlantic fisheries must reflect a sustainable development approach.
- Agreement with an eco-system approach to resource management.
- Precautionary approach is supported; the desire for greater scientific exactness must not support a desire not to impose stricter conservation measures; if in doubt, we must act in the best interest of the resource.
- There is merit in separating scientific research and advice from the fisheries management decision-makers; the FRCC is an example of a move in this direction.
- The economic viability of fish harvesters and social viability of communities are directly linked to resource access and allocation.
- Temporary allocations are a way to strengthen economic and social viability.
- Many existing co-management agreements are not equitable for all fishermen.
- DFO must continue to be involved in access and allocation but must exercise its responsibility in a transparent and consultative manner with the final decision remaining with the Minister.
- A committee of experts or an independent panel to rule on access and allocation decisions is not supported.
- Need an in-depth analysis and evaluation on the application of access criteria such as historic dependence, adjacency, and socio-economic considerations.
- Commercial fish harvesters should be entrenched as DFO’s priority access to the resource, once conservation and legal obligations have been met.
- Access to the resource for the next generation of professional fish harvesters must be examined; an exemption to the capital gains tax should be looked at as should income stabilization programs similar to those available in the agriculture sector.
- Decentralization of responsibilities without decentralization of financial means is doomed to failure; fish harvesters organizations are already overloaded just following the agendas of the government.
- DFO should be more decentralized in its decision-making and involve industry associations in the strategic direction of fisheries management but the document does not place sufficient importance on financial support for fish harvesters organizations.
- DFO is neither listening to nor responding to sport fishery associations.
- DFO should provide sportfishing access to crab and shrimp in the Saguenay; just because the request for such an activity is unique does not mean that DFO should not consider such a fishery.
- While it is recognized that sportfishing is not DFO’s top priority, DFO should at least acknowledge that it exists.
- It is also recognized that DFO has limited resources to devote to recreational fishing but research into species and the health of Saguenay fish stocks is required; there is an absence of research because the commercial fishery is not dependent on these stocks.
- DFO should devote more attention to the sportfishing potential in the Saguenay; this is a particularly important tourism destination and could be enhanced with access to sportfishing for marine species.
- By the time management plans are developed, it is too late to market to tourism targets although the Saguenay Fjord is open year round and holds great potential.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Charlottetown – March 27, 2001

Draft Synopsis

Themes arising from the Session

- General support for the document with suggestions how to achieve objectives of management principles.
- DFO should continue to be responsible for access to the resource while allocation decision-making can be shared with industry participants.
- Owner-operator and fleet separation policies should be retained.
- Greater enforcement is required to ensure conservation targets can be met.
- Fish taken for food, social and ceremonial purposes exceeds actual requirements/needs.

Registered Speakers - Charlottetown¹⁰

- Chris Wall, Malpeque Lobster Fishermen
- Kevin Robertson, PEI Fisherman's Association
- Eddy MacGillivray, Blomming Point Property Owners
- Dave Gillis, Province of Prince Edward Island

What we heard in the Presentations

- Fish harvested for food, social and ceremonial purposes currently exceeds a 'reasonable' limit.
- DFO should have its budget restored to an adequate level, rather than funding management by the fishermen.
- Aboriginal participants in the fishery should follow the same rules and seasons as other participants.
- The level of enforcement must be increased if conservation is to be achieved.
- The owner-operator policy should be the cornerstone of fisheries management.
- DFO should close loopholes that allow non-licence holders to reap the benefits of licences.
- Given the high cost of licences, DFO should seek an exemption from the capital gains tax to facilitate transfers of licences at reasonable rates.
- Waterfront homeowners should be consulted before aquaculture sites are decided to preserve access to the water for recreational use.
- Regulations on aquaculture siting should be tightened up to ensure others can use the water (i.e. Tracadie Bay is now beyond capacity and in some areas access to the water is not possible by recreational boaters, although if access were possible, there is no way around the existing aquaculture sites).

¹⁰ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The review of policies should be an on-going activity rather than one embarked upon every 20 years.
- Transfer of responsibility and co-management are sound concepts but should be embarked upon carefully as industry develops the capacity to assume additional responsibilities and to allow provinces to assess the impact on provincial responsibilities such as training, professionalization, etc.
- The precautionary approach should be adopted in the conduct of this policy review exercise.
- It is recognized that other federal departments and agencies, along with provincial governments, have roles in reducing the dependence of individuals and communities on the fishery.

What we heard in the Round Table Discussion

Conservation

- If we want future generations to be able to fish, we have to conserve the resource now.
- All parties must come to the table with a willingness to work toward conservation.
- Agreement that First Nations have a place in the commercial fishery, but should follow the same rules and seasons and other commercial fishermen.
- The only remaining lucrative fishery in Prince Edward Island is the lobster fishery; we have to look after the viability of the resource first.
- A potential threat to the stocks is the proliferation of oil and gas exploration; there is a need for coordination among all governments on allowable exploration, and then communication to fishermen.
- The non-Core fishermen currently have no input into the decision-making process; they would like to have a more open and inclusive process.
- There should be a more equitable sharing among commercial fishermen (how many lobster traps is enough?).
- Fishermen are doing their share to conserve the resource, but the total lack of enforcement by DFO is not helping them; suggestion was to use the money spent on consultations to enforce the fishery.
- Without enforcement it will be impossible to ensure conservation.

Economic and Social Viability

- Lobsters that have ostensibly been taken as part of the food fishery are being sold to processors; this should stop.
- In order to achieve economic and social viability, the owner-operator and fleet separation policies should be retained.
- On Prince Edward Island, only the minority of fishermen are represented by fishermen's associations; if participation were mandatory it would force people to come to the table and work things out. Right now there is no incentive for a fisherman to be represented by an association. It is recognized that professionalization is a provincial, rather than federal, jurisdiction.
- Professionalization is a 'must' and must be continued.

Access and Allocations

- DFO should implement a licence for recreational tidal fishing; it is not fair that commercial fishermen must buy a licence while others can fish for free.
- If any activity affects the shoreline (i.e. an aquaculture site, or construction of waterfront buildings), adequate consultation with local residents and property owners should be held.
- DFO is needed as a paternal figure, particularly to settle disputes among groups. We're reasonably happy with the way DFO manages the fishery.
- Under the current system, the federal government funds Aboriginal groups whereas fishermen must pay their own costs.
- Stability of access to the resource has to be a goal and achieving it will be tied directly to establishment of a mechanism to deal with current problems.
- A third party dispute settlement mechanism is supported although DFO may not be able to sever itself from the access process. DFO must ensure that whichever third party is selected to resolve the dispute, it be suitable, transparent and appropriate.

Governance

- If DFO is to proceed in the way outlined in the discussion document, fishermen will need access to training to allow them to assume more responsibility.
- If a person wants to enter the aquaculture business, there is no financial assistance; training should be provided.
- DFO will need to develop a strategic approach on how to handle the sharing of responsibilities; if this is not done correctly, problems will arise.
- While some believe mandatory representation in professional associations should be required, others do not support that view.
- DFO should consult with each fisherman individually; the cost of attending meetings is becoming prohibitive.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Moncton – March 28, 2001

Draft Synopsis

Themes arising from the Session

- The term ‘stakeholder’ must include sports fishing organizations, communities and environmental groups to provide for the sustainability of the fishery and optimum use of the resource.
- The public consultation process brings people together to present their views but does not require that they listen to other ideas and does not provide an opportunity for adequate discussion of options and views.
- A choice between two co-management arrangements: those that control access and concentrate benefits to a small number of fishermen or an arrangement that provides for the economic viability of the greatest number of industry participants.
- Notwithstanding a desire for consultations and co-management opportunities, there is an expectation that DFO will exercise control of the common property resource and be responsible for the outcomes.
- The owner-operator policy must be retained and priority access given to the inshore fishery.
- Aboriginal access to and participation in the commercial fishery figured prominently.

Registered Speakers - Moncton¹¹

- Gérald Haché, New Bandon Fishermen’s Association
- Sherwood Good, New Bandon Fishermen’s Association
- Mike Belliveau, Executive Secretary, Maritime Fishermen’s Union
- Paul Jagoe, Class B Lobster Licence Holder
- Stephen Chase, Atlantic Salmon Federation
- Jean Gauvin, Directeur de l’Association des crabiers du Nord-Est Inc.
- Ariella Pahlke, Nova Scotia Women’s FishNet
- Mary DesRoches, Nova Scotia Women’s FishNet
- Ian Andrew, Maritime Representative, Canadian Sportfishing Industry Association
- Inka Milewski, Conservation Council of New Brunswick
- Donna Murray, Botsford Professional Fisherman’s Association Inc.
- Jeannine Poulin, Association des Employé(e)s d’Usines de Produits Marins
- Gary Dedrick, Eastern Fishermen’s Federation
- Franklin d’Entremont, Swordfish Harpoon Association
- Alyre Gauvin, Association des Pêcheurs de Poisson de fond Acadien (APPFA)

- Written brief received from: Ludger Lagacé, New Bandon Fishermen’s Association

¹¹ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

What we heard in the Presentations

- Class “B” licences are non-transferable and have a reduced complement of traps. Licence holders cannot apply for other licences; the same access, flexibility and successor rights as Class “A” licences should be accorded to Class “B” licence holders.
- Inshore fishery must play central role in the “vision” for the fishery; no need for offshore or midshore fishing Gulf cod stocks; these stocks should be for the inshore fishery from May-October.
- A multi-species approach to an inshore fishery, including Aboriginals, can provide viability for the greatest number of fishermen. Inshore fishermen in the Gulf must be given access to snow crab stocks.
- Owner-operator must be a principle.
- Industry co-management is a corporate model that provides select groups with protected access that excludes 95% of fishermen. Current discussions with corporations who still hold 50% entitlement to groundfish - should they recover - will perpetuate this corporate model to the detriment of average fishermen. The current sharing arrangements must change.
- Atlantic Salmon Federation is broadly supportive of the review document and its objectives.
- DFO has a role to play in stimulating Aboriginal and non-Aboriginal joint management of community watersheds for sustainability of wild Atlantic salmon. The move to including recreational fisher organizations and other harvesters in IFMPs is a step in the right direction.
- The discussion document does not clearly define or incorrectly defines expressions such as “coastal communities”, “interest groups”, and “stakeholders” (must go beyond corporate stakeholders or current industry stakeholders). Others include: co-management (which does not include all stakeholders), viability should be defined as a balanced well-being of all involved not just a few large companies), sustainability and conservation must include communities as well as ecosystems.
- Buy-out of small fishermen is counter to achieving conservation and coastal community economic viability objectives.
- DFO policies have moved to privatize the industry and reduce the participation of those with traditional/historic attachment to the industry.
- Those who gain economic benefit from the fishery cannot be expected to be the stewards of the resource or responsible for allocation decisions.
- Sportfishing is the smallest industry with the largest potential for increased revenues of small boat commercial fishermen; real opportunities exist to supplement their earning from fishing.
- Sportfishing or recreational fishing must be distinguished from food or sustenance fishing.
- DFO is spending too much time on industry research rather than conservation science; skepticism that DFO can implement the principle of conservation unless science is de-coupled from management.
- Industry-government partnerships place DFO in conflict of interest - no more so than in its promotion of salmon farming to the detriment of the wild Atlantic salmon fishery. DFO “must de-couple” fisheries research from industry and set up an independent scientific branch.
- DFO has failed to prosecute municipalities and agriculture for polluting coastal waters under the conservation provisions of the Act.

- Processors are also stakeholders and their interests should be recognized within the policy framework.
- Some concern that pendulum could swing too much in a new direction were DFO to download responsibilities precipitously.
- Native commercial fishery must be part of a coordinated commercial fishery - one season, one management plan.
- Disagreement with the way DFO is implementing a general program for native fishery based on a Court decision that was addressing an eel fishery only. The interpretation of the Government in Canada is not in synch with those received by the various fishing organizations. The Government of Canada should refer to the Court for clarification of the *Marshall* decision.
- Allocation boards will entrench, not replace, political decision-making and will not result in a transparent system
- While current access rules are unfair, opening up these rules to negotiation is undesirable but criteria for access should be developed for a time at which the stocks exceed historic levels.
- Our problem is not in choice of technology or in the choice of gear or boat size; we are capable of using technology for conservation.
- We need more brainstorming/consultation sessions such as this to have the opportunity to speak that will facilitate us working together.

What we heard in the Round Table Discussion

Conservation

- If DFO is to move towards an ecosystem approach, more science is needed, particularly biomass evaluations around predator/prey interactions.
- Fishermen have developed their own guidelines for conservation; the tone of the document does not give any credit to fishermen on the advances they have made.
- Seals are a major problem, right now they are taking three times the TAC.
- Sometimes a consensus is not possible, do not override conservation in order to achieve agreement of all parties, strive for an attitude change instead.
- There is a need for an evaluation of gear types.

Economic and Social Viability

- All licence holders should be able to input into the fisheries management process.
- The consultation process surrounding the development of management plans should be broadened to include everyone with an interest in the fishery, priority should be given to developing a mechanism whereby input can be given.
- Commercial fishermen believe they should have a role in discussions regarding finfish aquaculture.
- New technology continues to improve our ability to harvest to stay competitive when we should be looking at cutting back.
- The resource is a common property and there is a clash of 'rights' between those who have participated in the fishery throughout history with Aboriginal rights to harvest and those who took risks, built the fishery over the years, and have a long term attachment to the fishery – an 'historical right' to harvest – who are not recognized as having priority access.

- The principle ‘to become more economically self-reliant’ is imprecise, we need something more concrete – DFO must be clearer about how it intends to help fishermen become viable.
- The industry wants to rationalize its operations to become economically viable; previous licence retirement programs have not succeeded in their objective because they were designed and conducted without consultation with the industry. We need to re-evaluate these programs and conduct another one that will truly rationalize the fishery.
- In the past, whenever there have been economic disasters in other industries, people turned to fishing to support their families; those days of unlimited resources are over.
- Licence holders have a certain responsibility toward plantworkers to ensure their continued employment in the community; the provinces should become more involved in the viability of plantworkers.
- Canadians do not eat enough fish! They eat considerably less fish than most countries and the industry is focused on volume instead of quality and market development. If Canadians ate as much fish as Europeans, we would have to import fish.
- A mechanism should be developed to allow other interests to input into the fisheries management process.
- Vessel replacement regulations should be examined and revised to help fishermen rather than placing stumbling blocks in their path.
- Local fisheries offices should be re-structured to offer help and guidance to fishermen, right now they are not responding to fishermen’s needs and are filtering information that is sent to Ottawa where the decisions are made.
- It must be recognized that we are not starting from scratch, we can put constraints on capacity and harvesting and have come a long way.
- We need professional fishermen’s organizations to adequately represent the interests of their members.
- The document is not clear if by viability it means viability of the existing industry or if it includes the viability of communities; the suggestion was to extend viability to communities.

Access and Allocations

- A change is needed to the licensing policy and DFO should be more explicit in the document about what it is proposing.
- After the collapse of the groundfish fishery, we switched to shellfish without knowing the relationship between them and without adequate information about the food chain and predator-prey interactions.
- We need additional consultation and discussion with fishermen, scientific advice has to be provided and disseminated to fishermen.
- The MFU does not support the current sharing arrangements; allocation issues cannot be put to a third-party dispute resolution mechanism – a public resource should be managed with public funds.
- The Minister of DFO should be committed to re-structuring; the groundfish fishery has not been restructured since the collapse (regardless of government programs, the corporate groundfish licences were not part of the programs) and we face the same players in the fishery should the stocks recover and the fishery re-open.
- If fishermen are to become self-reliant, they must become multi-species licence holders, able to fish many species and spend more time on the water; DFO policies should allow this to happen.

- When making allocation decisions, DFO should consider the plantworkers, and the affect these decisions can have on the plants and their capacity to process what is being harvested.
- The *Marshall* decision and DFO's interpretation of that decision, is difficult to live with; DFO should return for additional clarification.
- The principles should apply to both native and non-native fishermen.

Governance

- Agreement with the principles, but uncertainty as to how they will be applied, particularly with respect to who will be able to input into the process.
- It is recognized that we must change, evolve and adapt but it appears that DFO is abdicating its responsibilities.
- Governance is a critical area; in the 1980's we were asking for co-management and now find ourselves resisting it because of our experience with the process in the recent past.
- The Aboriginal Fisheries Strategy is a form of co-management which is very complex. The co-management demands on small Aboriginal bands are set up to fail.
- The inshore fishermen will end up paying for Burnt Church because the Aboriginal communities do not have the capacity to manage their participation in the fishery.
- Governance and access and allocations are related; it is difficult to talk about one without the other.
- An arms-length decision resolution process is not a comfort to fishermen who would prefer a transparent process with final responsibility resting with a Minister who is accountable for his/her decisions. There is a concern that a third party dispute settlement process may be unbiased at the start but after the first decision they may be seen to be biased and influenced by politics.
- This will not be easy to solve; DFO has a major task ahead of it.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

St. Andrews – March 29, 2001

Draft Synopsis

Themes arising from the Session

- The principles in the discussion document may be broadly supported but there is less likely to be agreement regarding how these principles will guide operations.
- Fish harvesters are by nature independent and entrepreneurial and DFO policies are inherently intrusive, therefore while DFO and fishermen should be seeking the same outcomes, they often find themselves in conflict.
- DFO must retain an enforcement capability and should put in place a system of economic incentives and disincentives that reward good stewardship.
- Owner-operator, fleet separation and adjacency should be more prominent in the document.
- Not all stakeholders are equal; when all stakeholders have an equal voice, the commercial fisherman will almost always be a minority voice.

Registered Speakers – St. Andrews¹²

- Greg Thompson, Fundy North Fishermen’s Association
- Floyd Hawkins, Retired Fisherman
- Dale Mitchell, Fundy Weir Fisherman’s Association
- Joseph Labelle, New Brunswick Seafood Producer’s Association
- Eric Allaby, MLA Fundy Isles
- Klaus Sonnenberg, Grand Manan Fishermen’s Association

What we heard in the Presentations

- The discussion document correctly identifies the problems with the current management structure but falls short in proposing solutions.
- The most contentious issue dividing fishermen and DFO is the use of seasons as a conservation measure.
- Before beginning the process of defining a conservation-based fishery, DFO should define what is meant by ‘fishing’; it is not fishing when you are given an individual quota and you sell it to the highest bidder.
- A new system of allocation is needed, extending the duration of the current sharing formula will not address the unfairness of the system and will not bring people to the table to work on other problems.
- Social and economic considerations in policy are partially an allocation issue.
- Governance of the industry requires a partnering approach; to achieve this some, if not all, of the issues dividing the players must be removed.
- Those living adjacent to the resource should have priority in setting the harvest plan.

¹² Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The fleet separation policy should be retained by DFO to separate the harvesting and processing sectors and processors should be included in the management process.
- Any costs passed on to industry must be justified by their contribution to conservation and sustainability of the resource.
- As other users of the resources come along, they should have a plan as to how they will minimize any adverse effect on the commercial fishery.
- The precautionary principle must be used only as a conservation measure, always accompanied by a research initiative.
- DFO has not done its job with respect to aquaculture and native fisheries and has never listened to its officers in the field.
- Scientists and fishermen must have a relationship based on mutual trust and confidence, for the most part, scientists do not seem to trust or believe fishermen.
- Any reporting process that compromises confidentiality of information will not be supported by fishermen.
- Not all stakeholders are equal; when all stakeholders have an equal voice, the commercial fisherman will almost always be a minority voice.
- For fishermen to manage fisheries, we need strong fishing associations, with mandatory membership and mandatory dues.
- Fishing violations should be heavily penalized; DFO should work in cooperation with the Department of Justice to ensure that violators are prosecuted and heavily penalized for infractions.
- In attempting to frame policy that will contribute to a coherent, stable and predictable structure, DFO must ensure that those who invest in the industry are provided an opportunity to comment. Harvesting is only half the industry, processing must be considered an equal partner if we are to create an economically viable and self-reliant fishery.
- Investment in processing and market development is not feasible when access to the resource is managed on a short-term, politically expedient basis.
- The fishing industry requires a policy framework that rewards those who are good stewards of the resource, and penalizes those who do not contribute to long-term sustainability of the resource.
- A clear, stable and de-politicized access and allocation process is the most important aspect of the review and is the single most important policy area that requires updating.
- Participating in fisheries management decisions should be limited to those with the investment capacity to contribute to the growth of the sector and who are accountable for results.
- Harvesters and processors develop information and insight into species and environment, this information must feed into the decision-making process, along with information collected from other sources to improve our current level of understanding of various species and their interaction with the environment.
- DFO must retain an enforcement capability and should put in place a system of economic incentives and disincentives that reward good stewardship.
- DFO must give fleets more flexibility to increase their economic viability; DFO is urged to create a framework where access and allocation decisions can respect historic investment in a fishery, while not forcing the industry to operate in outmoded fleet structures or gear restrictions.
- An artificial barrier has been created between the processing and harvesting sectors; fleet separation policy is seen as a discriminatory policy against vertical integration for specific classes of industry participants.

- Harvesting and processing enterprises must have security in their access to the resource, greater security of access and greater operating flexibility once the allocations are made must be the foundation of the new policy.
- DFO must determine the criteria on which access and allocation decisions will be made, and then allow new structures within the fishery to administer those criteria.
- Industry should play a more direct role in access and allocation decisions, within a framework where future decisions are predictable and the basic principle of which is respect of historic participation in developing and improving the fishery.
- Once a framework is established, an independent decision-making body should be constituted to rule on disputes that cannot be settled within co-management fora; the details of this independent body must be worked out within the industry.
- Integrated coastal zone management plans should be the place where different uses of the ocean are discussed. The principle objective of this type of planning must be the establishment of a clear, stable and predictable process to allocate the oceans resources for shared use by different sectors.
- The economic and social objectives of fisheries management should be for the optimum sustainable benefit for the coastal economy adjacent to the fisheries.
- DFO should recognize the legitimacy of fishermen diversifying their efforts to include eco-tourism and small scale sea resource culture as part of their incomes. This “cottage industry” type of aquaculture would not be a primary livelihood but an income supplement, while not jeopardizing their status as a Core fisher.
- DFO’s current management policies reward intensity of effort and do not support multi-licence approach to fisheries, an inordinate emphasis is placed on catch history which has penalized responsible fishermen who have voluntarily left a fishery fallow to allow it to rebuild.
- A single species approach to fisheries management, and the strict exclusion of bycatch in many fisheries leads to high-grading and dumping, DFO should consider ‘trip limits’ on total dollar value, rather than species by species.
- A ‘one size fits all’ management will not work, the fundamentals of the policy may be the same but application will be different in different areas. The closer management is to the real fishery, the more likely it will achieve its objectives. If a management policy is derived on paper in Ottawa, it will suit the paper fishermen chasing paper fish, but in the real world it will not work.
- The policy review presents us with an opportunity to correct some management approaches that have not worked well, let it acknowledge that the fishing economy is an important contributor to livelihoods in coastal communities and not the job of last resort – it is a proud tradition.
- Some of the best conservation initiatives have been proposed by fishermen, DFO should listen to the fishermen, develop ideas with fishermen, work with fishermen and the policy that is arrived at through this process will be far more successful.
- DFO should move to recognize the common sense initiatives implemented by responsible groups in the industry.
- The proposal in the document to expand the scope of interested parties is not welcomed and will severely complicate our ability to cope with changes in our fishery.
- DFO has permanently adjusted the value of lobster licences through the *Marshall* buy back program to the extent that local crewmen are unable to develop financial plans that can account for such large capital licence acquisition costs. Fishermen are in need of repairs to infrastructure and new wharves were required five years ago; DFO should stop the differentiation and proceed with developments that are supported by the entire community.

- We need to have better communication and understanding between interested fishermen’s groups and DFO’s enforcement; an advisory group could bridge the gap in effective use of resources.
- DFO has abandoned its mandate to protect the traditional fishery and, in the process, has ignored violations by the aquaculture industry in habitat destruction, use of illegal pesticides, dumping of infected fish, and the placement of sites outside of approved locations.
- Careful and extensive consultation with commercial fishermen is required before changes to DFO’s policies are contemplated.

What we heard in the Round Table Discussion

Conservation

- There is a need to move away from a specific amount harvest (TAC) towards a focus on effort control and size and season control (for lobster).
- DFO should allow for management approaches that go beyond those proposed in the discussion document.
- DFO should increase its science budget, we need to know more about the stocks and to increase the credibility of stock surveys.
- We need a workable definition of conservation, while the precautionary approach sounds good on paper, it can be over-done.
- A precautionary and ecosystem approach should be applied to the aquaculture industry which should not be allowed to continue its current rate of expansion.
- If DFO’s goal is to provide a sustainable harvest year after year, it must recognize that there are peaks and valleys in the resource, you need to take advantage of the peaks and to plan for the valleys.
- The only consistent factor about population dynamic studies is that populations will change.
- We need consistent policies for oceans use.
- DFO’s mandate to protect fisheries habitat has not been well exercised in the past, its powers have been under-applied.
- While conservationists are supportive of the philosophies behind the principles in the discussion document, there is concern about how they will be operationalized, and DFO’s ability to achieve its conservation objectives.

Economic and Social Viability

- It is hard to understand federal and provincial jurisdictions on aquaculture, giving responsibility for aquaculture to the province worked at first but that is no longer the case.
- Change is inevitable, some problems come from our inability to make hard decisions.
- If the industry is to be self-reliant, more individual units have to become viable and allowed to make decisions for themselves, before you can have economic change, there will have to be a political change.
- Quick fixes for short-term political purposes lead to artificiality that threatens long-term viability.
- Allow fleets the flexibility to make decisions on an economic basis and social viability will follow.

- We need a forum for fishermen’s organizations to participate in the decision making process, with the additional costs the organizations are asked to assume, it is hard to even travel to meetings.
- By its nature, decisions taken by a group will benefit the group, decisions taken by individuals will be for the benefit of individuals with economics being the bottom line.

Access and Allocations

- Some parties feel they have been treated unfairly under the current sharing arrangements, before entrenching these arrangements, they should be reviewed for fairness. Those who are doing well under the current system will argue for its retention, while others who feel they have been unfairly treated will press for change.
- General agreement that a clear, open, transparent access and allocations process is required.
- Predictability and stability of allocations is required to make investments for the future.
- How the resource is exploited, and how it can provide the most benefit to Canadians, must be a government decision, but once DFO has established the high level criteria, it has fulfilled its mandate and should allow more decision-making by participants.
- The investment made in a developing fishery should be a criterion for access to that fishery.
- A process is needed for continued access to the resource, but should not be entrenched forever; it should protect individuals rather than gear types.
- An arms-length arbitration board whose decisions can only be over-ruled by Cabinet was supported.
- Any First Nations fishery should operate under the same rules and seasons as the non-native fishery, subject to penalties if their right to fish is not used for the purpose intended (the selling of fish that has been caught for food).
- DFO must specify the area in which natives can fish for food, social and ceremonial purposes and not concentrate this fishery in a small area.
- We need a process whereby allocations to the non-commercial interests can be considered.
- It is agreed that natives have rights, but so do commercial fishermen, if it is agreed that companies should not hold commercial fishing licences, then the same should be true for Indian bands – each licence should be in an individual’s name.

Governance

- A focussed discussion is needed on how co-management might evolve, some fishermen’s associations are not interested in being represented by the Canadian Council of Professional Fish Harvesters and do not wish discussions to be held only with the Council.
- Shared decision making is a good idea and an education component is necessary – fishermen need to understand management issues and vice versa.
- If decision-making is devolved to the local level, it will be most effective.
- DFO has not convinced Aboriginals that the right to fish does not equate with the right to manage; as a consequence it might be necessary to create a new management arrangement.
- There are many questions that remain unresolved but co-management and shared decision making should be the goal of government, fish harvesters and processors.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Port au Choix – April 3, 2001

Draft Synopsis

Themes arising from the Session

- While some feel that disputes between fleets should be settled by DFO, others supported an arms-length mechanism.
- Historical access and allocation decisions were unfair and continue to cause problems among fleet sectors.
- There needs to be more cooperation among fishermen.
- While there is an interest in being part of the decision-making process, there is concern that self-interest and divisions among the fleets will predominate.

Registered Speakers – Port au Choix¹³

- Holly Patey, River of Ponds Harbour Authority
 - Deputy Mayor Priscilla Boutcher, NLFM
- (Neither speaker was able to attend, but they did table copies of their presentations)

What we heard

Conservation

- If conservation is left to fishermen who are running their own business, they will act out of self-interest, DFO should retain its responsibility for conservation.
- DFO needs to play a stronger role in enforcement by setting regulations and focussing its role on conservation and enforcement.
- The most important concern should be the sustainability of the resource, all must work together to achieve this.

Economic and Social Viability

- We need a mechanism to allow for the review of policies that were set long ago, with minimal consultation, involving boundaries, licence concentration, access and allocation (particularly resource sharing).
- We have to find a common ground to address the inequitable sharing of the resource that currently exists.
- The onus should be on the commercial fishermen to support their community, particularly those fishing for sedentary species.
- Other federal departments and other levels of government are responsible for the health of fishery dependent communities.

¹³ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

Access and Allocations

- Some of the allocation policies are 20 years old, we have crab on our doorstep but no access to it.
- We need a framework that is beneficial to all parties involved but it must be fair because right now the gaps are widening depending on the licences you hold.
- We have to be more understanding of the needs of other fishermen, we should be able to change as the resource does, we have to be able to find a way to spread the wealth and the resource among the commercial harvesters.
- Over the years there has been conflict among the three fleets along the coast, the small boat fleet feels that it has been left out of the decision making process partly due to the lobbying abilities of the larger boat fleets.
- There are so many conflicts between the boat sectors that people outside the fishery would probably make better decisions because they have no interest in the outcome.
- The Union is wearing three hats which makes it difficult to represent all our interests.
- Fishermen should first try to work out their differences, then if they are unable to reach agreement, a third party, independent dispute settlement mechanism with clear guidelines, is supported.
- DFO needs to do a better job of communicating its policies and should explain its regulations in a language that all can understand.
- There should be clear access criteria for the aquaculture industry too.

Governance

- Excellent! We have been asking for years to be involved, we need consistent, synchronized planning because we have a long way to go and much history to overcome before it can be realized (particularly the lack of attention paid to advice given by fishermen).
- Any move in this direction will require a greater investment by DFO in science and enforcement.
- We have tried to structure our fishery, then DFO comes back with a policy that is completely the opposite of what we are trying to accomplish and goes against the advice we have given. It is not encouraging to give advice and not be able to see the results of our input into the process, it discourages us from participating in the process.
- Right now we feel our hands are tied, policies are being made without consultation with the fishermen. It is hard to enforce if there is no buy-in.
- There should be one set of rules for the Gulf fisheries, right now a groundfish licence in Newfoundland allows for fishing for different species than a licence held by a Quebec fisherman (lumpfish was the example).
- We have to deal with 2 levels of government (federal and provincial) which can be difficult.
- Given the diversity of groups and fishing gear, there is a lot of work ahead.
- There is no indication that DFO is listening to fishermen.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Port aux Basques – April 4, 2001

Draft Synopsis

Themes arising from the Session

- Communities have to have a say in their destiny and should participate in fisheries management decision making processes.
- Historic participation and adjacency must be the bases for resource allocation.
- Community quotas must be considered.

Registered Speakers – Port aux Basques¹⁴

- Councillor Cynthia Downey, NLFM
- Joanne Clarke, Executive Assistant to Honourable Kelvin Parsons, Minister of Justice, representing the Towns of Burgeo and Ramea on behalf of Mayor Allister Hann, Burgeo Town Council

What we heard in the Presentations

- Fishing communities must be fully integrated into the decision-making process.
- Canada should ratify the United Nations Convention on the Law of the Sea and ensure that the allocation criteria set forth by its administrators are strictly adhered to.
- DFO should consider the options of community-based co-management through the development of community-based management boards and the issuance of community development quotas.
- Science and research are key, an adequate science budget should be allocated. The best informed fisheries management decisions regarding conservation will come from a combination of fishermen' traditional ecological knowledge, data from fisheries science and community input.
- There should be zero tolerance for blatant disregard of fundamental access to resource principles (northern shrimp was the example).
- Canada should extend the current 200-mile jurisdiction to include the Nose and Tail of the Grand Banks.
- Unless current practices change, resources within 3Ps and other divisions will continue to decline. The practice of allowing ghost nets must end.
- The problem of harvesting and processing over-capacity continues to cripple communities that rely on the benefits of exploiting a fishery. Communities must become more economically resilient to the unstable nature of the fisheries resources upon which they depend.
- Canada must control and protect its territorial waters, effective enforcement and monitoring control must be implemented.

¹⁴ Copies of the presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- Harvesting methods that have negative impact on species other than the targeted species must be discontinued.
- The use of gear types that are non bio-degradable and continue to fish when lost or unattended must be discontinued.
- Harvesting of the groundfish food chain (i.e. capelin) for commercial purposes must be discontinued.
- Protest groups such as IFAW and Greenpeace must be ignored when making management decisions, seals must be culled and kept at a sustainable level.
- Policies for management when put in place must be free of political and union interference.
- NAFO does not and will never work, Canada must take control of the Continental Shelf and withdraw from NAFO.
- There must not be any more trade-offs of fish to gain international agreements in other commodities.
- Harvesting should be conducted at the time of year when the product will give the optimum return (i.e. shrimp should be harvested during the winter to realise the maximum price).
- Doubtful that harvesters/industry self-enforcement will work.
- Recognition of old treaties and Aboriginal rights should not apply to the island portion of Newfoundland.
- Community quotas must be considered.
- Companies should not be able to move fish stocks historically processed in one community to facilities in another, without reference to the community. Communities must have a say in their destiny.

What we heard in the Round Table Discussion

Conservation

- Education and the need for training of fishermen must be factored in if DFO expects a consensus on the meaning of conservation.
- Conservation must continue to be undertaken by DFO with buy-in from the commercial industry.

Economic and Social Viability

- Agreement with the principles and the need for a role for municipal governments in any policies developed.
- Municipalities must buy-in to the direction proposed by DFO.
- Municipal officials would be willing to participate in the process and, as a preliminary contribution, could offer to provide the location to hold meetings of concerned parties.

Access and Allocations

- The government should continue to play an active role in the access and allocations process.
- In the past few years in Newfoundland, there has been a movement to look at the bigger picture. If we had a clear set of criteria and a transparent process, all would benefit.

Governance

- Fishermen know their area best and, as a consequence, are equipped to participate in the management of their fishery, their local knowledge should be used in local management decisions. They are willing to co-manage with DFO.
- As the idea of shared decision making evolves, DFO will have to consider the requirements for education and training to allow the industry to take on more responsibilities.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Grand Falls – April 5, 2001

Draft Synopsis

Themes arising from the Session

- Communities are stakeholders in the fisheries and must be involved in the fisheries management process.
- To protect long term conservation of the stocks, Canada must control the Nose and Tail of the Grand Banks and the Flemish Cap.
- Small boat fishermen must be given priority in fisheries management.
- Owner-operator policy must be maintained and the corporate concentration of licences must not be allowed.
- Fishermen’s knowledge must be factored into the fisheries management process.

Registered Speakers – Grand Falls¹⁵

- Edward Jones, non-Core Fisherman
- Al Wurdemann, Town Planning Coordinator, Town of Harbour Breton
- Mayor Walwin Blackmore, NLFM,
- Conrad Collier, Coast of Bays Corporation
- Mervin Rice, non-Core Fisherman
- Mayor Claude Elliot, Town of Gander

Submission tabled by Jerden Bennett, Mayor of Baytona

What we heard in the Presentations

- The Core policy disadvantaged some fishermen who took a temporary job outside the fishery rather than social assistance.
- The Core criteria were changed during the process without informing people who could be affected by the change. There has been approval of many fishermen as Core without proper investigation, catches documented by some individuals were actually caught and landed by someone else, resulting in them being approved as Core.
- DFO seems to place more emphasis on a person’s ability to buy an enterprise than their experience in the fishery.
- Historical attachment should be the basis for licensing policy.
- The history of DFO is one of micro-managing the fish resources and being reactive rather than proactive, it seems to have no long term strategic plan for the fishery.
- Communities need to become more equal partners at the fisheries management decision making table.
- Canada should ratify the United Nations Convention on the Law of the Sea and adopt its five criteria for resource allocation: historical performance, mobility, adjacency, economic dependence and stability.

¹⁵ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The concept of community-based management needs to be studied with a view to implementing real community input into all decisions and proposed legislation concerning the entire management of Canada’s fisheries.
- DFO’s budget for science and research need to be increased to a level that will allow for a sound basis for making fisheries management decisions.
- Fundamental resource access principles must be adhered to, clear understanding of prioritized allocation principles must be a priority.
- Canada must implement more effective enforcement and monitoring within the 200-mile limit, should examine the possibility of extending Canada’s jurisdiction to include the Nose and Tail of the Grand Banks.
- The vulnerability of cod stocks in 3Ps needs to be examined.
- The large processing companies are exercising a monopolistic control over the processing sector, there is enough fish to keep the local core plants in operation. It is recognized that businesses must act in their own interest but there comes a point when governments, industry and communities should act to keep communities alive.
- Canadian industry must work toward maximizing value-added processing.
- Fishing communities must be fully integrated into the decision-making process.
- DFO should consider the options of community-based co-management through the development of community-based management boards and the issuance of community development quotas.
- Science and research are key, an adequate science budget should be allocated. The best informed fisheries management decisions regarding conservation will come from a combination of fishermen’ traditional ecological knowledge, data from fisheries science and community input.
- There should be zero tolerance for blatant disregard of fundamental access to resource principles (northern shrimp was the example).
- Canada should extend the current 200-mile jurisdiction to include the Nose and Tail of the Grand Banks.
- Unless current practices change, resources within 3Ps and other divisions will continue to decline. The practice of allowing ghost nets must end.
- The problem of harvesting and processing over-capacity continues to cripple communities that rely on the benefits of exploiting a fishery. Communities must become more economically resilient to the unstable nature of the fisheries resources upon which they depend.
- Canada must control and protect its territorial waters, effective enforcement and monitoring control must be implemented.
- Conservation is the sustainable management and protection of all the components of the marine environment – from the phytoplankton to the top of the food chain – it is the underlying principle without which we do not have anything.
- Top grading must be stopped, a formula with a quota compensation should be developed that would allow fishermen to land the smaller fish without affecting the core quota. Such a formula could be developed jointly by DFO, harvesters, unions and the processors.
- DFOs science budget should be increased to understand the relationship between the various species, to ensure that one activity does not negatively impact another (i.e. predator/prey interactions, habitat, environmental changes).
- It is not clear what effect the use of seismic technology in the search for oil and gas has on spawning fish, studies from around the world indicate that this activity does not affect fish behaviour but we need to act now to ensure it does not have serious consequences in the long term.

- Rural communities must develop a diversified economy to ensure their survival should extreme conservation measures have to be adopted. The smaller communities are now moving into tourism, aquaculture, emerging fisheries and cod ranching to supplement revenues from the traditional fishery. The communities need to have a hands-on input in the management of the fishery and other marine resources in their areas.
- Adjacency should be the first criterion in determining access and allocation, decision-making for political rather than conservation reasons will spell doom for the resources and the communities that depend on them.
- There are concerns about ITQs which allow anyone with money in Canada to ‘own’ a quota and to lease it to a harvester who can land the product wherever they wish. There is no social attachment or accountability, it is unclear how a financial secure person in Central Canada could care about the survival of a small rural community in Newfoundland.
- A general feeling that Newfoundlanders are being discriminated against when it is considered illegal to fish a few cod for personal consumption, those across the Cabot Strait can fish any time of the year for their dinner.
- As aquaculture operations expand there exists the possibility for conflict between aquaculturists and traditional fishermen over land/marine use, with coastal property owners about the destruction of a view or use of a bay, with recreational boaters about access to a beach, and with conservationists about protection of the genetic diversity of native stocks. The ability to resolve these conflicts at the local level is all-important.
- There needs to be a shift of management of the fishery resources from the board rooms of Ottawa closer to the people that rely on these resources for a living.
- Conflict resolution mechanisms must include the communities to ensure that decisions are made based on science and conservation of the stocks and not on political motivation.
- For any fishing community to be sustainable, it must have access to fish, DFO should allow communities to hold quotas that are controlled by the community, and not dependent on the economic decisions taken by commercial fish processing companies not based in the community.
- It is not just the coastal communities that feel the effects of the health of the fishery, other inland communities that act as a service area for the surrounding areas are also affected by upturns and downturns in the fishery.
- Consultation with stakeholders is essential and their opinions and insight must be considered when deciding the future of Canada’s offshore resources.
- In order to carefully manage the fishery off the shores of Newfoundland and Labrador, a management body for the Newfoundland fishery should be established as a separate entity. A management policy office that is proportionate to the participation in the fishing industry in Atlantic Canada should be established.

What we heard in the Round Table Discussion

Conservation

- It appears there are two sets of rules: one for Canadian fishermen and one for the foreign fleets, there should only be one. No one believes fishermen when they say that foreign fleets are over-fishing and when they report foreign dragnets in Canadian waters.

- There is a substantial under-staffing in DFO of fishery officers, we are expecting too much out of a small staff, additional funding is also required for science.
- We need someone with intestinal fortitude to take hard decisions on resources, until Newfoundland has control of its fishery all along the coast, nothing will change.
- A small study is underway to determine what is happening to salmon at sea but additional research is needed into our river systems (tied into under-funding of science).
- It is time the federal government got serious about the fishery and stopped using it as a bargaining chip in other Canadian negotiations.
- Conservation has to start with understanding (good science that fishermen can understand).
- Fishermen have to be listened to and their views acted upon.
- There has to be a seal cull.
- The Newfoundland fishery should be administered from Newfoundland, not Moncton (reference to Gulf Region of DFO).

Economic and Social Viability

- The provincial government needs a larger role in the Newfoundland fishery, under the current sharing of authority, DFO is responsible for live fish, while the province is responsible for dead fish (harvesting versus processing).
- The owner-operator policy should be the basis of Canadian fisheries, control of licences should not be in the hands of lawyers and dentists.
- While expanded local decision making sounds desirable, (we have been sharing some responsibility with DFO), we have not always agreed with DFO's decisions, but competing interests means that the department has a major role to play. However, if it is going to be effective, core funding must be restored.
- Three quarters of the fleet are small boats, with control over what happens resting with the remaining 25%.
- Industry participants and aquaculturists should not have to bear the costs of DFO/CCG services.
- New structures should allow fishermen more of a feeling of ownership, they should have this recognized in exchange for all that was given up for Confederation.
- Adjacency and historical dependence should be given more prominence.
- The results of the Atlantic Fisheries Policy Review must involve all stakeholders – the resulting policy should not just be dumped on the industry – DFO should use a pilot project process to implement any changes.
- A recreational (food fishery) is integral to the culture of rural Newfoundland and should not be subject to time limits.
- The viability and sustainability of coastal communities are the responsibility of the federal government and should be among the principal objectives of fisheries policy. The communities will work with all levels of government to ensure the sustainability of the communities.

Access and Allocations

- Allocations should be given to harvesters, not plants – keep the fleet separation policy.
- The small boat fleet has been hurt by past allocations, this will have to change now or the fleet will disappear.

- The large boat fishery for shrimp are destroying the turbot and crab fishery, they are discarding the equivalent of the small boat allocations.
- We don't know the impact of offshore drilling on fish populations but we do know that the water is now dirty and cannot sustain fish.
- The politics must be taken out of access and allocation decision making, more decisions should be at the local level in consultation with fishermen.
- Responsible fishing practices should be rewarded, irresponsible practices should be penalized. Fishermen must be responsible for their actions and held accountable.
- Do not entrench existing shares until resource sharing is fairer, there should be a process to review sharing arrangements periodically.
- While it is recognized that other interest groups want access to fish stocks, priority access should be given to the commercial sector who should also be consulted on allocations to other resource users.
- The Aboriginal fishery must be conducted under the same rules and seasons as the rest of the fishery.
- DFOs cost recovery must be managed carefully and not risk programs and cooperative efforts that pay conservation and management dividends.
- All allocations should be made from a good scientific knowledge base.
- Adjacency and historical dependence should be the cornerstones of the allocation process, those most affected by a decision should be involved in reaching that decision.
- Some mechanism should be developed to accommodate the reality of by-catch to prevent dumping (the fish are already dead) as well as some way of minimizing the effects of high grading.

Governance

- Everything goes back to science and conservation – the impact of harvesting on other species is not known – the lack of science has got us where we are today.
- Decision making must be decentralized, decisions should be taken as close to the resource as possible.
- Harvesters have to be convinced it is in their best interest to conserve. Fishing violations should be heavily penalized; DFO should ensure that violators are prosecuted and heavily penalized for infractions and rewarded for good stewardship.
- DFO should refine its definitions of a number of terms used (i.e. 'local' areas).
- Responsibility for enforcement must be left with DFO, not to communities or to the fishermen themselves.
- Science data should be more readily available to outside users.
- Stricter penalties should be introduced for offences.
- The absolute authority of one man (the Minister) has to change.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Clareville – April 6, 2001

Draft Synopsis

Themes arising from the Session

- Communities are stakeholders in the fisheries and must be involved in the fisheries management process.
- General support for the principles in the discussion document but concern about the ability to operationalize them.
- No room for new entrants or for participation of a wide range of stakeholders in the decision-making process.

Registered Speakers - Clareville¹⁶

- Fred Best, Mayor, Town of Clareville
- Tom Osborne, Mayor, Town of Arnold's Cove
- Michael O'Connor, Highliner Foods (National Sea Products)
- Steve Moyse, Discovery Regional Development Board

What we heard in the Presentations

- Fishing communities must be fully integrated into the decision-making process.
- Canada should ratify the United Nations Convention on the Law of the Sea and ensure that the allocation criteria set forth by its administrators are strictly adhered to.
- DFO should consider the options of community-based co-management through the development of community-based management boards and the issuance of community development quotas.
- Science and research are key, an adequate science budget should be allocated. The best informed fisheries management decisions regarding conservation will come from a combination of fishermen' traditional ecological knowledge, data from fisheries science and community input.
- There should be zero tolerance for blatant disregard of fundamental access to resource principles (northern shrimp was the example).
- Canada should extend the current 200-mile jurisdiction to include the Nose and Tail of the Grand Banks.
- Unless current practices change, resources within 3Ps and other divisions will continue to decline. The practice of allowing ghost nets must end.
- The problem of harvesting and processing over-capacity continues to cripple communities that rely on the benefits of exploiting a fishery. Communities must become more economically resilient to the unstable nature of the fisheries resources upon which they depend.
- Canada must control and protect its territorial waters, effective enforcement and monitoring control must be implemented.

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- Conservation should remain the focus of all three levels of government, it is one thing to propose enforceable rules but the resources must be provided to conduct that enforcement.
- The concept of ecosystem management requires extension of jurisdiction to include the entire continental shelf.
- If we are to work towards a sustainable resource for future generations, the concepts of ecosystem management and government policy decision-making must be integrated.
- Community leaders are accountable to their residents, a mechanism should be designed to recognize their input on the economic and social viability of coastal communities. Two options for including community leaders in the decision making process: review the integrated fisheries management process and the Agreement on Interjurisdictional Cooperation to recognize community leaders as a legitimate stakeholder in the process.
- There is an inconsistent regime for making management decisions on access and allocations. A number of stakeholders have to be accommodated when making decisions and if DFO is going to pursue a transparent process, the resources to do so must be provided.
- The principles of adjacency and historical attachment must be addressed.
- Top down management has not been effective in the promotion of shared stewardship of the resource, this will come if all are held accountable for their decisions.
- Overall the discussion document is a good starting point and probably overdue.
- The goal of promoting sustainable and conservation oriented fisheries and an economically sound industry is achievable if it is shared by all industry stakeholders and supported by clear and comprehensive fisheries management policies.
- We object to broadening the stakeholder pool in the fisheries management decision making process beyond those with a traditional presence in the commercial fishery.
- It is paramount to first obtain ‘best use’ objectives within the commercial fishery before considering expanding the number of stakeholders with access to the fishery.
- The new policy must encourage the expanded use of self-regulating or self-adjusting systems (examples are quasi property rights regimes such as ITQs and enterprise allocations).
- NAFO is a poor example of an appropriate and enforceable legislative and regulatory framework for fisheries management, we need to pursue extending our jurisdiction outward or establish a new multilateral organization to replace NAFO.
- Access and allocation decisions are the responsibility of DFO and should be made using proper criteria. Reference to the need to change the existing process by moving responsibility to the fleets enables DFO to avoid its responsibility and accountability for access and allocation decisions, even though the Minister retains final discretion on issuing of licences.
- Newfoundland’s increased capacity to harvest shellfish should not undermine the traditional/historic groundfish harvesters when the shellfish fishery declines and groundfish stocks increase.
- Significant capacity has been removed over the last decade, this should not be viewed by government as an opportunity to introduce new entrants into existing fisheries.
- The access and allocation problems in existing fisheries are directly related to DFO’s tentative approach to the issue.
- Within the constraints of conservation, licence holders and fleets should make their own business decisions and be accountable for the consequences, the concepts of

self-reliance and co-management are thus supported subject to allocation and access concerns.

- IFMP's should be left to fisheries stakeholders and another process established to integrate fisheries and ocean access issues such as oil and gas, recreation, eco-tourism, cable laying and mining. The urgency for such a process will vary by region.
- Additional resources are required for science to strengthen the management decisions being made; there is a sense of urgency to this.
- The recreational or food fishery should be examined to determine the impact that it has, not only on the stock status, but the social status, too. The management of this fishery should be examined and options identified to minimize the impact on the stock and maximize the benefits to coastal communities.
- There is an inherent flaw in DFO's view of where communities fit in the decision making process, in the document they are identified under 'other interests'.
- While not advocating that the Province of Newfoundland and Labrador take over responsibility for fisheries management, but there should be better mechanisms for the sharing of information between the levels of government and industry – decisions regarding specific fisheries should be taken closer to the fisheries.

What we heard in the Round Table Discussion

Conservation

- The conservation ethic is well understood when applied locally but conservation seems to be thrown out the window when it comes to international issues – we cannot make the distinction between Canadian and foreign vessels, all should operate under the same guidelines.
- The department is trying to be too many things in too many areas (Oceans Act) when it does not have the resources to basic science. The ideals cannot be argued but is this realistic, can DFO actually operationalize the conservation agenda?
- All fishermen in Newfoundland are conservationists but at what point do we stop rebuilding stocks? We do not know what impact increasing stocks have on other species – there could come a point when we are being over-cautious.
- Some fishing gear has a reputation as 'bad' but the onus is on the operator to fish responsibly.
- There should be mixed gear fishing, not just hook and line or gillnet fisheries and discards should be minimized if conservation is to happen.

Economic and Social Viability

- Ways have to be found to bring all interests to the table. It is particularly important to consider the views of fishermen when taking management decisions.
- Knowledgeable people have to be consulted, and involved in decision making but in the final analysis, it is the fish harvesters and processors that have the most knowledge.
- Institutionalized community role should not result in community quotas or other mechanisms that limit the value of individual enterprises.
- Future management of the fishery will require a cross-sector board to arbitrate and balance interests to remove political interference.
- DFO should continue to manage the fishery in consultation with fish harvesters.

Access and Allocations

- There is no mention of the owner-operator policy in the discussion document, the application of the policy is being undermined by the lack of funding available to fishermen, in many instances control of the licences is being transferred to corporations and other investors.
- There is no more room for new user groups in groundfish and insufficient enforcement resources to control the food fishery.
- Adjacency should be an underlying principle when taking access and allocation decisions.
- Access and allocations should continue to be DFO’s responsibility, with consultation with the fleets and input into fishing plans.

Governance

- Data collected by observer programs should be made available to harvesters, right now it is difficult to get access to the data – this relationship should be open.
- Stakeholders should be restricted to licence holders – the inclusion of a broad range of ‘outside’ interests increases conflict and can bring the planning and management processes to a standstill.
- It will be a challenge to develop a process that will work, it will have to be carefully thought out.
- The owner-operator policy has to be maintained to avoid the corporate concentration of licences, and the purchase of licences and quota by those with an interest only in money, not the community. The loopholes in the owner-operator policy must be closed.
- Every enterprise should have the right to transfer quotas to the boat of their choice, right now fishermen are taking chances with safety by pushing their boats to the limit, both in terms of distance from land and in seasons. ITQs should be used to provide for the continued viability of the small boat fleet.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Goose Bay – April 10, 2001

Draft Synopsis

Themes arising from the Session

- The needs of the North are different from those in the South.
- Adjacency - the people closest to the resource should get priority access.
- Access to stocks and allocation to Labrador fishermen.
- Boat size policies of DFO are unnecessarily restrictive, other mechanisms are available to DFO to meet conservation targets.
- Recent land claim settlements, awaiting ratification, will involve a co-management regime for the fishery which should address some of the governance issues for Aboriginal fishermen.

Registered Speakers – Goose Bay¹⁷

- Councillor Graham Letto, NLFM
- Claude Rumbolt, FFAW

What we heard in the Presentations

- Fishing communities must be fully integrated into the decision-making process.
- Canada should ratify the United Nations Convention on the Law of the Sea and ensure that the allocation criteria set forth by its administrators are strictly adhered to.
- DFO should consider the options of community-based co-management through the development of community-based management boards and the issuance of community development quotas.
- Science and research are key, an adequate science budget should be allocated. The best informed fisheries management decisions regarding conservation will come from a combination of fishermen’ traditional ecological knowledge, data from fisheries science and community input.
- There should be zero tolerance for blatant disregard of fundamental access to resource principles (northern shrimp was the example).
- Canada should extend the current 200-mile jurisdiction to include the Nose and Tail of the Grand Banks.
- Unless current practices change, resources within 3Ps and other divisions will continue to decline. The practice of allowing ghost nets must end.
- The problem of harvesting and processing over-capacity continues to cripple communities that rely on the benefits of exploiting a fishery. Communities must become more economically resilient to the unstable nature of the fisheries resources upon which they depend.
- Canada must control and protect its territorial waters, effective enforcement and monitoring control must be implemented.

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- The needs of Labrador are different from those in the South, the industry needs to change to help communities.
- Labrador did receive some benefit from the new crab benefit but did not receive the same benefit from the shrimp fishery because of allocations to other fleets.
- Labrador’s fishing industry is threatened and may fall below critical mass to the detriment of the local communities, unless the resources that are available in Labrador waters are allocated to the remaining fishermen. We cannot survive on the current allocation and the prospect is to lose the fishery entirely.
- We need to develop a policy for Labrador and the flexibility to implement it.
- The fleet separation policy must be strengthened to allow only harvesters to hold licences, increasingly fishermen are becoming harvesting employees of processors.
- Adjacency – a precedent has now been set by the allocation of Northern shrimp to PEI – and is giving hope to others who are not adjacent to the resource. The people closest to the resource should get priority access.
- We need flexibility to allow Labrador fishermen into the industry, the resource exists in our waters, we just need access to it.

What we heard in the Round Table Discussion

Conservation

- We have to maximize the use of the resource and avoid duplication of effort in how the resources are used.
- There is a lack of research funding, we should pool the expertise of harvesters and government.
- Key players are not here today, the forum is incomplete without the presence of the Innu Nation.
- The North is very different from the South, people from the South are now looking to the North and gaining access to our resources.
- A certain sense of despair and alienation with existing policies, it is hard to see how they apply in the North.
- Conservation is limited by knowledge, it is unlikely that we will ever know enough to manage for conservation.
- Conservation is like a code of ethics, it is something you live by, everyone knows what it is but it is hard to describe, it is not something for which we can hold DFO responsible except when something goes wrong.
- There has to be a balance between economic viability and conservation.
- Ecosystem-based models and applying the precautionary approach are unrealistic as they are based on a precept that we can manage the complexity of nature.
- Management decisions should be based on biological realities, with good science, DFO has to have acceptance that it tried its best.
- Vessel registration, safety and leasing regulations are extremely frustrating, it is impossible to improve our situation and compete with larger boats from other areas. The regulations should allow us to do what we want, that makes economic sense to us.
- The fishery of the future is based on conservation, science and research and must also include traditional fishermen’s knowledge if it is to work.
- Conservation must start from a sound scientific basis but the problem with science is that it raises more questions than it answers, in the absence of answers based on absolutes, decisions must be guided by experience.

- The discussion document does not mention Marine Protected Areas or marine parks, a park should be considered along the Labrador coast.
- Conservation requires increased research, for example there is no char monitoring being done, the biomass is unknown and DFO does not know their migration patterns.
- Since the decline of the cod stocks, we see harp seals everywhere. We know that they eat cod but now we are seeing them in the bays and fjords but don't know what they are eating. DFO must increase its research into the effects of seals on fish populations.
- The de-politicizing of access and allocations will have an impact on conservation, without decisions taken for political reasons, conservation will be possible.
- Stocks should be managed locally, more research should be done on the impact and inter-relationship of species (predator-prey relationships), and harvesting techniques should also be studied.

Economic and Social Viability

- It is impossible to become economically viable within existing vessel regulations, the boat length restrictions should be lifted.
- We have been hit hard in Labrador, we have lost the commercial salmon industry to the sportsfishery and environmental groups, we cannot access resources directly adjacent and we should have access to the sealing industry.
- Larger boats would also facilitate increased hydrographic surveys by fishermen to supplement the surveys conducted by DFO, there are no up-to-date charts available for Labrador.
- To a certain extent, DFO is at the mercy of broader public policy, in some fisheries there is a need for social objectives ('good for people, good for culture').
- Many of those who are already viable are so because DFO has allocated well, but when is enough, enough? The resource should be shared, DFO should analyse the fleets, and audit fishing enterprises to more equitably distribute the allocations.
- Fishermen should go to the media to present their concerns about the effects of DFO policies on their communities.
- Fish harvesters should have more self-determination because they will develop the fisheries for the benefit of the communities.
- Adjacency must be addressed for Labrador fishermen to become economically viable, of the 32 Labrador communities, 25 are coastal, and depend on the ocean to make a living.
- Economic and social viability must come from the people involved in the fishery working with DFO.
- While there are programs for fishery diversification, Labrador needs fisheries development programs funded by both levels of government.

Access and Allocations

- It is hard to talk about access and allocations when we have neither.
- We have to move away from strictly political decisions towards decisions based on clear rules and principles of sharing.
- An arbitration mechanism is needed, it would take a long time for fishermen to agree amongst themselves.
- Access and allocations are at the heart of everything. Transparency in the process is a good place to start.

- We have people in the fishery who entered the fishery under past rules that should not have their positions entrenched in the review. The application of the principles of adjacency and historical dependence should be reviewed. In the case of Labrador, there is no historical dependence because there is no access to the resource.
- Access and allocation criteria need to be clearly defined.
- The money the government paid us for our salmon licences was not enough to buy a good Ski-doo.
- Ministerial (departmental) decisions are taken without adequate knowledge of the impact these decisions will have on communities, large boat fleets have more influence through the lobbying system, small boat opinions should be as important.
- The fleet separation policy must be maintained, the loopholes that are allowing processors and fish plants to buy licences must be stopped so that only harvesters have licences.
- DFO should look at sunset clauses on access and allocation decisions to allow for review rather than entrench what may be valid short term policies, to the detriment of the overall management of the fishery.
- DFO should address how it will deal with underutilized allocations.
- Changes to the current access and allocation system are needed. We have to move away from political decision-making and consider the needs and views of fishermen.
- Those involved in the recreational fishery in Labrador (salmon) are the only ones who benefit from the resource.
- The *Sparrow* decision, and DFO policy is that the Aboriginal right to fish for food, social and ceremonial purposes is given first priority, after conservation. In order to properly regulate this food fishery, the commercial fishery should close.

Governance

- Ad hoc policy development (“policy on demand”) introduced to solve certain problems should be reviewed.
- There are a proliferation of different groups wanting to become involved in fisheries management. It is hard to see how all these interests can be accommodated in the decision-making process. DFO should deal with licence holders and other resource users and develop a process to accommodate other interests.
- Southern models of decision-making cannot be applied to the North and be made to work.
- Co-management requires solid information from adequate science and traditional fishermen’s knowledge.
- The first step towards co-management is to bring in rules-based decisions in fisheries management and a transparent process that avoids political intervention.
- Recent land claim settlements (the example was LIA), awaiting ratification by the Federal Government, will involve a co-management regime for the fishery which should address some of the governance issues for Aboriginal fishermen.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

St. John's – April 11, 2001

Draft Synopsis

Themes arising from the Session

- Owner-operator and fleet separation should be principles and more prominent in the document.
- Community viability requires community input in fisheries management.
- Science budget must be increased to answer questions on which conservation decisions can be based.
- Thousands of jobs and many communities depend on fish processors – the processors must have a role in fisheries management.
- Some form of harvester-processor integration should (and will) take place to ensure the economic viability of both sectors.
- Control of the Continental Shelf is critical to conservation of species.

Registered Speakers – St. John's¹⁸

- Owen Myers, Newfoundland and Labrador Wildlife Federation
- Winston Fiander, Canadian Executive Service Organization
- Earle McCurdy, Fish, Food and Allied Workers Union
- Mayor Derm Flynn, President Newfoundland and Labrador Federation of Municipalities
- James Chidley, Vice-Chairman, Southern Shore Inshore Fishermens' Action Committee
- Grace White, CanJam Trading Limited
- Councillor Peter Miller, City of St. John's
- Carl Philip Parsons, General Public
- Gus Etchegary, Fisheries Advocate
- Alastair O'Rielly, Fisheries Association of Newfoundland and Labrador
- Boyce Taylor, General Public
- Councillor George Cooper, Town of Grand Bank

What we heard in the Presentations

- Conservation must embrace a number of principles to guarantee a sustainable fishery resource for future generations:
 - Fish must have a food supply – the harvesting of krill and capelin should be prohibited (the *Fisheries Act* should be amended to ensure that only through a legislative amendment would harvesting be allowed).

¹⁸ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The most obvious explanation must be accepted as the answer to a scientific question, only when the simplest explanation has proven to be incorrect should the enquiry move on to test successively more complex hypotheses.
- The catch rate of the commercial dragger fleet is not an index of abundance.
- Protection is conservation, unless the fishery is being adequately policed and the *Fisheries Act* is being enforced, there is little chance for conservation. DFO must not transfer or download its jurisdiction over the inland waters of Newfoundland.
- Wild stocks of fish must have priority over fish farming, (they are at risk because of aquaculture practices).
- We have failed to learn from the Northern cod disaster and are repeating the same mistakes in the shrimp and crab fisheries.
- The policy review offers us an opportunity to reverse the decline of rural Newfoundland and Labrador through management processes and mechanisms that will empower fishing communities and remove existing barriers to their sustainability.
- While communities have responsibility for development, they have no control over the resource that is critical to their present and future well being. Control rests with Ottawa, the province, the big industrial players, and the unions with communities as little more than observers.
- Communities are more than just ‘other stakeholders’, the document is disappointing as it does nothing to correct the vulnerability of the communities where the fishery is at the heart of their economic and social well being.
- The fishery cannot be managed as a stand alone but rather as an integral part of all ocean resource activities, a community-based management approach is the only feasible way to manage the complex interplay of variables. Putting emphasis on resource users is too narrow a focus, it should be expanded to optimizing the economic and social outcomes for communities.
- The most appropriate way to serve the public interest and achieve resource sustainability now and in the future is to entrust coastal communities with stewardship of the fishery. Shared stewardship of the fishery with users, as advocated by DFO in its discussion document, is fundamental to the community-based management model, but trusteeship of the fishery resource should remain in the public domain and transferred to the fishing industry in the best interests of the community at large.
- New community and regional institutions will be needed to implement community-based management concepts and practices without diminishing roles played by other levels of government, unions and the industry. Any move towards community management of the fishery will have to be carefully considered in consultation with communities and all stakeholders.
- Agreement with DFO’s conservation goals as stated, in addition, enshrining principles such as the independent owner-operator and fleet separation policies will contribute to the long-term viability of the fishery and fish resources as well as the people and communities who depend on those resources.
- Responsible fishing practices which are encouraged through provincial professionalization programs will assist in the conservation, sustainability and long-term viability of our fish resources, the fishing industry and our coastal communities.
- A fishing licence is a licence to fish and should not be handed out to people who have no intention of fishing and no background in fishing; fishing rights are a heritage of coastal communities, not a commodity to be peddled in Toronto like shares in the high technology industry.

- The discussion document makes disproportionate reference to new entrant users: aquaculture and recreational fisheries while FRCC has recommended against an increased recreational (food) fishery.
- Eleven recommendations:
 - The AFPR final report should include confirmation of the fleet separation policy for <65’ vessels.
 - Fishing licences in the <65’ sector be issued only to fish harvesters who have met the professionalization requirements that exist in their respective regions. In Newfoundland and Labrador this would mean licence holders would have to be holders of Level II Professionalization certificates.
 - DFO use the AFPR exercise as an opportunity to conduct consultations with the harvesting sector for the purpose of introducing appropriate flexibility into the vessel replacement policies.
 - The final AFPR policy statement include a recommendation for measures to close the loophole which presently permits the separation of legal title from beneficial use of fishing licences.
 - A full study of the public policy considerations related to the inter-generational transfer of licences, including an exploration of the different ways and means that would facilitate inter-generational transfer. This would include such options as capital gains exemptions on the disposition of fishing property, national fish harvesters retirement savings plan, and any other approach that would give fish harvesters more control over the transfer of their fishing enterprise.
 - The adjacency principle be enshrined as a permanent feature of DFO fisheries management policy in conjunction with recognition of historic dependence on a particular resource as the basis for continued access.
 - The processing of industrial shrimp in Canadian peeling plants be a condition of licence of the Canadian offshore shrimp fleet.
 - Allocation decisions continue to be the responsibility of the Minister of Fisheries and Oceans subject to allocation policies and priorities that are clearly identified and made public.
 - The AFPR should recognize the reality that the fishery is dominated by multi-licensed enterprises and should recommend that policy be developed to optimize the prospects for financial stability of the various fleet sectors which make up the Core fishery.
 - Continuing support for professionalization from DFO as the appropriate policy framework in which to enshrine the owner-operator principle and the fleet separation policy.
 - DFO should recognize the re-opening of closed fisheries or the continuation of existing fisheries at TAC levels far below traditional levels as a special situation in which priority would be given to fleets depending on adjacency, length of attachment to the particular fishery, availability of other fishing opportunities and other criteria.
- Fishing communities must be fully integrated into the decision-making process.
- Canada should ratify the United Nations Convention on the Law of the Sea and ensure that the allocation criteria set forth by its administrators are strictly adhered to.
- DFO should consider the options of community-based co-management through the development of community-based management boards and the issuance of community development quotas.

- Science and research are key, an adequate science budget should be allocated. The best informed fisheries management decisions regarding conservation will come from a combination of fishermen’s traditional ecological knowledge, data from fisheries science and community input.
- There should be zero tolerance for blatant disregard of fundamental access to resource principles (northern shrimp was the example).
- Canada should extend the current 200-mile jurisdiction to include the Nose and Tail of the Grand Banks.
- Unless current practices change, resources within 3Ps and other divisions will continue to decline. The practice of allowing ghost nets must end.
- Fishing communities have much to gain by taking advantage of aquaculture development, grow-out techniques and recreational use of our oceans. Communities adjacent to potential aquaculture sites must be encouraged to develop them.
- The problem of harvesting and processing over-capacity continues to cripple communities that rely on the benefits of exploiting a fishery. Communities must become more economically resilient to the unstable nature of the fisheries resources upon which they depend.
- Canada must control and protect its territorial waters, effective enforcement and monitoring control must be implemented.
- All fish species that can be harvested by small boats under 35’ should be harvested by this fleet.
- The sharing of quotas should be on a fair basis, on species which migrate to our shores and species that are adjacent to our shores.
- Policies should be in line with conservation principles in cooperation with fish harvesters and not corporate principles and recommendations.
- Communities are becoming ghost towns from lack of fish quota, yet the foreign fleets are fishing the Continental Shelf, this must be stopped.
- Vessel replacement policies should allow greater flexibility since fishermen are having to go greater distances from land to fish for species such as crab.
- Fish processors must be involved in all aspects of the AFPR consultation, processors should also be included in discussions of the Independent Panel on Access Criteria.
- Conservation cannot produce the desired result of sustainability unless all aspects of fish abundance is addressed, including the negative impact of an increased seal population on the fish resource.
- We need to address the quality of fish going to market and what measures need to be put in place to ensure a high quality of fish for export.
- If we are to have sound conservation policies and programs, federal investment in the science of fisheries is paramount.
- The knowledge of the fishermen and communities cannot be dismissed. Direct participation in decisions of conservation will engender an ownership in the resource.
- The fishery holds opportunity for eco-tourism, export of research and knowledge and the development of technologies ranging from biotechnology to communications. The fishery and activity of the fishery is a generator of significant economic activity.
- A new vessel replacement policy which recognizes a vessel design that allows inshore fishermen to harvest resources out to and beyond the 200 mile limit should be considered, the maximum length restriction as an input control belongs in the past.
- There appears to be a trend in the number of accidents and the movement further offshore to harvest new areas. There also appears to be a persistent trend in the

lower value of return for the same products from Newfoundland when compared to the other Eastern Canadian Provinces.

- When the moratorium was declared, and Canadian fishermen not allowed to fish, the foreign fishing members of NAFO continued to fish a variety of species including turbot. These foreign countries are using Newfoundland ports to trans-ship fish (and shrimp) to be secondarily processed in Europe while Canada is prevented from selling processed shrimp to the same market.
- The principle of effort control as a sustainable management tool (which is supported by foreign countries) was discarded because it was a licence to overfish. Canada must take a strong stand before the shrimp resource goes the way of the groundfish.
- Foreign vessels are catching undersized, young and non-reproductive turbot and by-catches of flounder and other groundfish are precluding any possibility of rebuilding these stocks.
- Arrests by Canada for serious infractions have not resulted in one single report of punitive action against the offenders. DFO is urged to publish the weekly surveillance reports that are presently not made available to the public.
- There will never be recovery of the cod, flounder, redfish and other stocks unless and until Canada extends fisheries management control to the Continental Shelf.
- Because of budget cuts, DFO scientists are unable to provide the scientific data necessary to determine the true state of the stocks for which they are responsible. This science funding should be restored.
- Canadian fisheries management will not change until we rid ourselves of those in Ottawa who mismanage the fisheries and return to a fisheries management structure similar to the Federal Fisheries Research Board of earlier days.
- The processing sector is a major employer in the province and a primary stakeholder in all policy decisions impacting the industry. The sector's role is comparable to that of harvesters, the other primary stakeholder.
- The fleet separation policy is impairing the ability of the processing sector to meet customer requirements through integrated harvesting, processing and marketing operations. Adherence to the traditional notion of owner-operators for vessels over 45-50 feet is not realistic to today's fishing enterprises.
- The proposed definition of conservation appears laudable but overly ambitious and beyond the capabilities of fisheries science. DFO should share accountability with primary stakeholders in responsible resource management.
- Economic and social viability has to be precisely defined, the only way to do this is in economic terms (i.e. how can the returns to the Canadian fishing industry stakeholders be optimized?). To achieve maximum viability, this model must be predicated on an entrepreneurial, rights-based regime for both harvesters and processors.
- Agreement that the access and allocations process must be fair, transparent and subject to clear and consistent rules and procedural requirements. The access and allocations principles must reflect rights-based regimes, historical dependence, adjacency, etc. which must be prioritized such that they are predictable.
- Agreement that primary stakeholders should have a greater role in fisheries planning and management with ultimate decision making being shared with primary stakeholders, but not transferred.
- Participation by other stakeholders should be strictly limited and in accordance with their level of investment and exposure.
- Limited vertical integration of the harvesting and processing sectors can be in the public interest, but that interest is impaired by a monopolization of fishing licences.

Where there is a clear conflict, the public interest should be paramount to the private interest.

- Support for the creation of an independent quasi-judicial licensing board with a mandate to ensure the existence of a dynamic competitive harvesting sector. The board would be empowered to rule whether or not independent fishermen were acting without compulsion and of their own free will and volition in selling their catches.

What we heard in the Round Table Discussion

Conservation

- Pleased the definition of conservation has changed from the 1982 policy, although rules should not just be ‘enforceable’ – tough penalties are needed for contraventions.
- Accountability should be with the licence holder, if significant deterrents exist, contraventions will be minimized. Penalties such as reduced access to the resource should be considered.
- Support for an independent process or mechanism (a sanctions board) that would hold rule-breakers accountable for their actions and penalize them accordingly.
- In the past, conservation was not much of an issue, but today, with the advances in technology there’s no place for fish to hide. A study should be initiated on the cumulative impact of technology on species – not all fishing technology is bad.
- Support for an ecosystem approach, but as a part of ‘oceans’ which includes other activities such as recreational fishing, aquaculture, etc.
- Conservation is fishing at a sustainable level, be careful not to be too ‘conservative’ and head to ‘preservation’.
- DFO should consider how fishermen themselves can help police others for conservation reasons, they want to become stewards of the resource and know what is happening on the water.
- While we need additional funds for science, and more research, traditional fishermen’s knowledge must also be factored in because right now we do not have the data needed to start a good conservation program. Fishermen have to document discards, high-grading and dumping before we can know the quantity of fish being taken.
- DFO should review its regulations to ensure that they are targeted to conservation objectives, contraventions of fishing regulations have to be seen by the community as unacceptable.
- We cannot have conservation inside the 200-mile limit, and not have it outside. Taking control of the Nose and Tail is a critical step in conservation.
- As a user group, seals seem to have a priority to harvest.
- There has to be a commitment to conservation and a properly managed fishery both inside and outside the 200-mile limit. It is time for Canada to do something other than compromise on our resources. Foreign fleets should be prevented from using smaller mesh size outside the 200-mile limit, from landing undersize turbot and all fish caught in Canadian waters should be processed in Canadian plants.
- Surveillance and monitoring of foreign fleets on the Nose and Tail, the Flemish Cap and monitoring of the St. Pierre fleet should be a priority for DFO.

Economic and Social Viability

- DFO must develop a resource recovery strategy, to encourage recovery and to determine how access and allocation decisions will be made as stocks begin to recover.
- DFO should concentrate on how to sustain resources at the highest possible level to provide the greatest long term economic benefit to Canada – DFO does not have a role in advancing social viability.
- Fish is a public resource, it is about people, not profits – social viability is the distribution of wealth.
- The notion of co-management with resource users is a good one but it should proceed with caution until fishermen are able to assume the responsibility and accountability.
- The fleet separation policy should be strengthened to prohibit processors from obtaining licences – DFO should consider rolling back some previous decisions to take away licences from processors.

Access and Allocations

- There are currently two ways to get access to the fishery – political power (which is elusive and inconsistent) and economic power (using financial resources to buy access). Both result in satisfying a few and outraging everyone else. Any new process must not simply deflect criticism. DFO must address this concern when structuring a third party, independent structure – suggested appointing an ‘office’ rather than a person since people do change jobs – with a clear set of criteria, direction and accountability and unbiased, impartial people as members.
- Some measure of integration of harvesting and processing is necessary. Concerns about corporate concentration are valid but the current structure doesn’t work with respect to safety, economics or viability.
- Vessel replacement policies should be reviewed as safety is becoming an issue as small boats head further from shore to fish. When allocating fish, DFO should take vessel length into account to ensure that fishermen are not compromising safety in order to fish their quota. Given that the Minister of Fisheries and Oceans is accountable for vessel safety (through the Coast Guard) this should be a priority.
- The Core policy should apply to all vessels, not just those less than 65 feet.

Governance

- A mechanism or mechanisms are needed to resolve conflicts that arise from flawed policies and regulations. This mechanism must be clear, well defined and well publicized.
- Support for the direction proposed but some apprehension that it will work (the fox in charge of the chicken coop?).
- Any structure or mechanism will have to develop and evolve and responsibility should only be transferred as groups develop the capacity to accept the responsibility and accountability. All resource users should be involved, including processors.
- The idea of decisions being made close to the fishery is a good concept and a move in the right direction but ways will have to be found to do this. It will take time.
- Given that the resource is a public property, decision-making concerning its use should be retained by DFO and not devolved to the industry.

- The Federal Government should review and streamline the current aquaculture site and research permit process. Aquaculture has the potential to become a large contributor to the community but with 14 federal departments involved, it takes 6 months just to get a research permit.
- DFO should make a consolidated effort to put its policies into plain English that can be understood by all (emerging species was the example).
- An FRCC-like consultation process should be considered for access and allocations decisions.
- When DFO starts Phase II of the AFPR, it should ensure that it consults more broadly than with just the union leaders, it is the future for the fishermen and they should be involved in whatever consultations are held around Phase II.

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

Iqaluit – April 18, 2001

Draft Synopsis

Themes arising from the Session

- Nunavut has not been included in the many research and economic development programs designed and implemented in the South.
- While there is general agreement regarding the principles in the discussion document, it does not adequately acknowledge the differences between the North and South.
- The lack of scientific research in the North.
- Objections to the notion of solidifying current access and allocation arrangements and fleet shares in Nunavut waters, this would entrench the inequitable arrangements that exist.

Registered Speakers - Iqaluit¹⁹

- Jim Noble, Nunavut Wildlife Management Board (on the topic of Conservation)
- Carey Bonnell, Department of Sustainable Development, Government of Nunavut (on the topic of Economic and Social Viability)
- Peter Keenainak, Qikiqtaaluk Corporation (on the topic of Access and Allocations)
- Bert Dean, Nunavut Tunngavik Inc. (on the topic of Governance)

What we heard in the Presentations

- Canada’s Atlantic fishing policy has evolved for the benefit of southern Atlantic fishermen and for their fishing industry. As a result, the fishermen and the fishing industry of the North have been ignored in terms of benefits and strategies. Policies have not been flexible enough to deal with Northern concerns.
- It is realised that the reform process must take time and deliberation before concrete results are achieved, the discussion document will generate debate and discussion concerning overall policy directions and goals.
- Many of the proposed principles and policy options advocated by the discussion document are welcome improvements for all fishermen.
- While there was substantial agreement with the goals favoured by DFO, there should be a fourth objective – the concept of equitable access. Orderly management and shared stewardship should be built upon a foundation of both conservation of the resource and fair access to that resource. (This is consistent with the Nunavut Land Claims Agreement (NLCA))
- Agreement with the definition of conservation but a recommendation that the concept should include a set of principles to further elaborate its meaning and to complement the policy elements. These principles, based on those agreed under the NLCA are:

¹⁹ Copies of these presentations are available by calling 1-866-233-6676 or by request through our web site at www.dfo-mpo.gc.ca/afpr-rppa

- The maintenance of the natural balance of ecological systems within Canadian waters;
 - The protection of aquatic wildlife habitat;
 - The maintenance of vital, healthy aquatic wildlife populations capable of sustaining the harvesting needs of Canadian fishermen; and
 - The restoration and revitalization of depleted populations of aquatic wildlife and wildlife habitat.
- Good science in the North is terribly inadequate, there is no DFO commitment to start or improve science for shrimp, turbot, crab and seals. (Two year Canada-Greenland turbot survey, jointly funded by DFO and NWMB is an example of good science leading to a fishery for Nunavut – the same research is needed on shrimp resources in northern waters).
 - The Inuit of Nunavut have traditionally harvested fish for subsistence purposes and are almost exclusively a maritime people, with 25 of 26 communities located along the coast.
 - Waters adjacent to Nunavut are rich with a variety of species, in 1999 Nunavut's participation in the Atlantic fishery was limited to approximately 27% of the adjacent turbot resources (even less for shrimp), resource users in the south are allocated anywhere from 70-90% of their adjacent resources.
 - Nunavut has no deep water port facilities or small craft harbours and only one processing facility, the fishery has the potential to provide substantial employment opportunities in communities where opportunities are currently limited.
 - Over the past decade, Nunavut interests have been excluded from a number of federally funded economic development programs that support southern marine activities, including the Aboriginal Fisheries Strategy and Allocation Transfer Program.
 - Fishermen cannot benefit from adjacent resources if the infrastructure is not in place, there are no adequate docking facilities, no small craft harbours, public investments are needed.
 - Current DFO policies, such as the sector management policy, licensing and access and allocations policies with respect to turbot and shrimp, do not adequately address the needs of Nunavut fisheries interests. In addition, current policies are aimed at maintaining or reducing capacity, whereas Nunavut is trying to develop a capacity.
 - New DFO policies will have to be developed, taking into account the special circumstances that exist in Nunavut and the reliance of coastal communities on the adjacent fishery.
 - DFO must commit to on-going, multi-year research on both shrimp and turbot stocks in Davis Strait, the issue of science is directly linked with economic and social viability.
 - The AFPR does not adequately address the role DFO intends to play in economic and social issues in the fishery. There is an apparent contradiction in current funding policies, which have DFO providing substantial financial support to the industry in the south and no support for the development of an economically viable industry in Nunavut.
 - The *Economic and Social Viability* section of the document identifies a number of issues but fails to address many of the economic and social issues that exist from a northern perspective. Section 4.4.1 (issues) should be expanded to provide an examination of the difficult issues facing the northern fishing industry.
 - Section 4.4.3.2 identifies a set of constraints within which licence holders and fleets could make their own fisheries management decisions. A number of these constraints need to be addressed from a northern perspective.

- The document’s reference to maintaining geographic distribution of economic opportunities is not supported – suggested this be changed to “establish a geographic distribution of economic opportunities within a diverse fleet structure”.
- Section 4.4.3.3 identifies a number of policies that could be developed to diversify local fisheries economies. It is hard to see how such policies can be implemented in Nunavut with no level of public investment from the Federal Government. Nowhere else in Canada is the potential of emerging fisheries stronger than that of Nunavut yet vast regions of the Nunavut Settlement Area are untouched by experimental and exploratory activities. Additional research is needed.
- The recently signed Memorandum of Understanding between the Government of Nunavut and the Federal Government recognizes a joint responsibility in the development of a healthy, viable fishery in Nunavut and states that “DFO agrees to support the priorities of the Government of Nunavut in the pursuit of fisheries-related economic development funding from various agencies.” The time has come to operationalize this MOU.
- Industry overall is in favour of the overall message identified under the *Access and Allocations* section of the discussion document, although this appears to conflict with the section on *Economic and Social Viability*.
- Nunavut businesses should be given equal opportunity to access and allocations before the concept of ‘fleets and licence holders getting the same proportion of the TAC each year’.
- In addition to being at a disadvantage in terms of available programs, Nunavut organizations are disadvantaged in access and allocations.
- Applauded the Minister of Fisheries and Oceans for indicating that ‘adjacency does not mean exclusivity’; encourage DFO and the Minister to expand on this and include historical dependence.
- DFO needs to explore other models for access, allocation and sharing for northern shrimp (examples were enterprise allocation program, “last in, first out”, industry management of certain areas, and other self-management models).
- Canadians should be encouraged to work with Canadians, if fish is not harvested by a Canadian fleet, the allocation of unharvested fish should be allocated to other Canadians first, before being given to foreign interests.
- Ecosystem management must be adopted, DFO sciences needs a greater emphasis on stock assessment of the whole Atlantic Region.
- The food fishery should have priority over the commercial fishery in Nunavut.
- A request for clarification of the definition of ‘Aboriginal groups or communities’.
- Many of the rights that Inuit have protected in the NLCA relate to the marine environment and harvesting. Examples are Article 5 of the NLCA which establishes the Nunavut Wildlife Management Board (NWMB) as an Institution of Public Government to act as a co-management body between government and Inuit, and Article 15 which relates to wildlife management and harvesting beyond the marine areas of the Nunavut Settlement Area.
- The three objectives of conservation, orderly management and shared stewardship are supported.
- The NWMB has worked with communities, stakeholders and Government to develop a made-in-Nunavut approach that strives for many of the goals of co-management laid out in the discussion document.
- DFO should work closely with the NWMB, the Nunavut Fishery Working Group and the fishing industry in Nunavut to achieve the same goals.
- Agreement that we should move away from a top down approach to fisheries management, it is important that communities impacted by decisions, or wanting to

develop a fishery in Nunavut have a say in the management and are involved in discussions.

- There are aspects of the NLCA that can provide the basis for DFO programs in Nunavut that have not been addressed by the Department. Provision for the NLCA should be addressed in the policy framework.
- DFO should look into an expanded definition of co-management that recognizes the role the NWMB as well as other institutions of public government established in the north have in the co-management process.
- Some communities have seen positive development (i.e. the Pangurtang processing plant).
- DFO should consider additional funding for activities in the North.

What we heard in the Round Table Discussion

Conservation

- Ghost nets – gill nets that are lost or abandoned – post conservation problems, it is not just the nets that are lost, there is usually fish in the nets which become a contaminant to other fish.
- We must have better fishing practices as conservation is paramount.
- The operational implementation of conservation from a Nunavut perspective will present a challenge. The situation is very different in Nunavut, in the absence of science, the precautionary approach serves as a deterrent. The idea of enforceable rules is a good concept but implementation will be difficult in Nunavut.
- There is no at-sea surveillance in Nunavut waters, DFO must increase its enforcement in the North.
- All fishermen must respect conservation measures to ensure the resource is there for future generations, it is our responsibility as parents to introduce our children to solid conservation measures.
- Conservation should be defined on a species by species basis.

Economic and Social Viability

- In order to make fish harvested and/or processed in the North competitive with southern products, subsidies are needed, particularly transportation subsidies.
- We have been unable to access many HRDC training programs that could have helped us.
- Because Nunavut does not have an economic development agreement with the federal government, it misses out on access to funding.
- Emerging fisheries are real opportunities in Nunavut which can turn our fishing industry into a major player but we need public investment for this to happen.

Access and Allocations

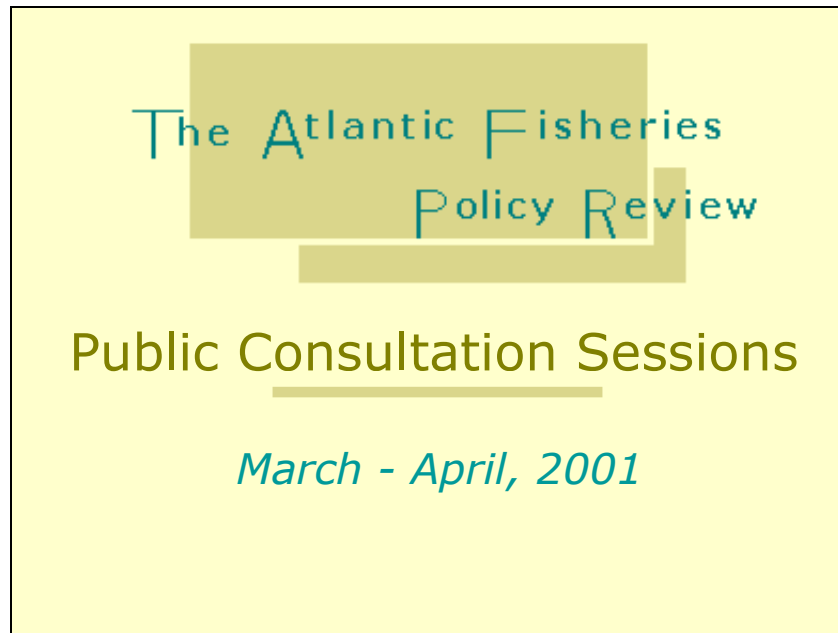
- Access and allocation decisions are currently politically driven and place the North at a disadvantage, if they were economically driven, it would be a different story. They should be more responsive to fishermen’s needs.
- Nunavut has major objections to recognizing current access and allocation arrangements, and fleet shares in Nunavut waters – this would codify existing inequities between the North and the South. Priority access to Nunavut should be given.

- Nunavut is perpetually having to deal with national programs that may not be appropriate for the North, principally because they were designed in the South, for the South.
- We need flexibility in all new policies to allow them to adapt to the particular needs of the North, consistent with the legally binding NLCA, and the capacity to anticipate future claims.
- If politics are separated from access and allocation decision making, Nunavut will be at a disadvantage.
- Allocation of shrimp to Nunavut is more of a “paper shrimp” than a “swimming shrimp”. The area provided to Nunavut fishermen has few shrimp available to be fished, therefore the allocation at whatever level is moot.
- In the North there is one rule – those adjacent to the resource should get priority access but those who live in Nunavut need access to southern resources to become economically viable.
- It is hard to reconcile Nunavut’s need for access and allocation and decisions that have been taken. For example, Nunavut has not been allowed to harvest that portion of the TAC that is left in the water because it is not wanted by the southern fleets (turbot was the example).
- Re-allocation of unharvested fish, when the resource is stable or increasing, should be considered. The lack of science is hindering Nunavut from gaining access to resources.
- The Independent Panel on Access Criteria will have to consider the special needs of Nunavut.
- We believe the fish are out there but without adequate science, there is no way of proving it.

Governance

- We agree that DFO’s role must change but without research and surveillance in the North, we do not believe it can fulfill its mandate and question its ability to implement much of what is proposed (in Nunavut).
- We need a commitment to long-term, comprehensive research.
- Nunavut (the Arctic fishery) is remote from and different from the larger Atlantic fishery based on Canada’s east coast, it is thousands of miles away from the decision makers.

Appendix A



1.

Public Consultation - Meeting Format

Please Refer to your handouts

- 1 - Opening Presentation
 - overview of policy review process and Discussion Document
- 2 - Submissions by Pre-registered Speakers
- 3 - Open Sessions on Discussion Document
key themes:
 - Conservation
 - Economic and Social Viability
 - Access and Allocations
 - Governance
- 4 - Wrap-up / Next Steps

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Appendix A

2.

Public Consultation - Expectations

We are seeking advice on the broad direction outlined in the Discussion Document

DFO staff are here to:

- listen and understand
- explain and clarify where necessary

Your participation / response might include:

- comments on proposed principles
- your advice on broad directions

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3.

What is the AFPR?

A collaborative process for identifying a vision, objectives and directions for managing Atlantic coast fisheries

Phase I

- Development of long term Policy Framework to guide fisheries management decision-making.
 - Answer the question what are we trying to achieve in Fisheries Management in the long term?
- Discussion Document and consultations: springboard for public input

Phase II

- Development / implementation of plans and programs to put policies into operation
 - Answer the question how do we achieve the direction from Phase I

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Appendix A

4.

Why do we need this Review?

policies and principles that reflect new circumstances

Changes in the Atlantic Fishery

- stock fluctuations, increased aboriginal participation, changes within industry, new resource users

Broadening Departmental Focus

- to sustainable fisheries in the context of “oceans management”

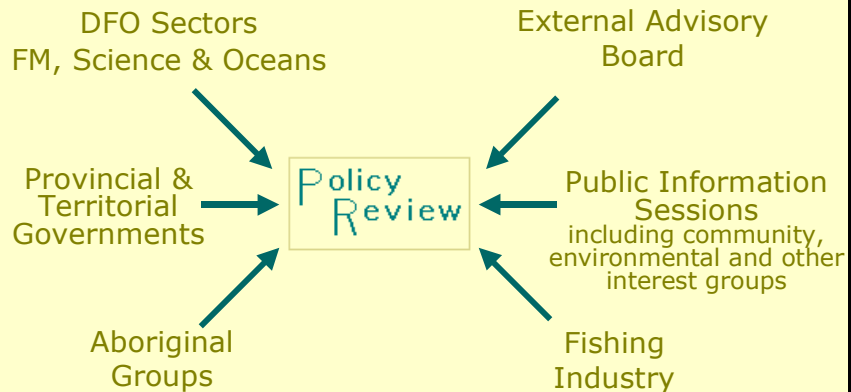
Responding to Public Opinion

- concern for protecting marine resources
- more transparency in decision making

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5.

Consultations to date



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Appendix A

6.

What have we heard?

Feedback from 1999 Public Information Sessions

- Support for policy review and for process
- Concern for marine resource conservation
- Consistency versus regional specificity
- Support for core activities
 - enforcement and science
- Fairness and transparency of allocation
- process prominent

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7.

Key Objectives

Conservation

- placing a priority on conservation and sustainability with input from governments, Aboriginal Groups, industry groups and other stakeholders on fisheries management goals,

Orderly management

- achieving stability in the allocation process through developing and applying a transparent approach that is consistent, fair and credible, and

Shared stewardship

- sharing stewardship in fisheries management by building on participatory decision-making structures.

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8.

Public Consultations - Key Themes for Policy Discussion

Conservation	Economic and Social Viability
Conservation and sustainable use should be the cornerstones of fisheries management.	Licence-holders and fleets should have more flexibility to make their own decisions.
Access and Allocations	Governance
Access and allocation decisions must be open and based on clear, explicit rules.	Fisheries management decision-making should be shared.

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9.

Next Steps - Completion of Phase One

Complete Public Consultations

- end of April

Examine the Feedback...

- Document and analyze input
- Distribute summaries of the public consultations

...and prepare and finalize Policy Framework

Stay in-the-loop: keep checking our web site!
www.dfo-mpo.gc.ca/afpr-rppa

Or call toll free
1-866-233-6676

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Appendix A

Conservation

“Conservation and sustainable use should be the cornerstones of fisheries management.”

- Define conservation as **“sustainable use** that safeguards ecological processes and genetic diversity for present and future generations”
- The first principle and highest priority governing resource management for the Atlantic coast fisheries should be **“Management decisions must put the conservation of fisheries resources and habitat first”**
- Incorporate both a **precautionary and an ecosystem-based approach** in fisheries management
- Establish a **conservation ethic** and share responsibility with industry for resource conservation
- Ensure harvesting is conducted under **enforceable rules**

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Economic and Social Viability

“Licence-holders and fleets should have more flexibility to make their own decisions.”

- DFO can best provide for economic and social benefits by **promoting the sustainable use of the fisheries resource.**
- **DFO should create conditions** for the fishing industry to contribute effectively to both the viability of individual fishing enterprises and to the national economy.
- **Responsibility for the well-being of coastal communities must be shared** among resource users, communities themselves, DFO, and various federal and provincial government agencies.
- The commercial fisheries must become more **economically self-reliant** and more responsible for handling fluctuations in the resource and the market.
- Fleets and resource user groups must **develop strategies and programs** to balance economic and social objectives while providing safeguards for the interests of others.

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Appendix A

Access and Allocations

"Access and allocation decisions must be open and based on clear, explicit rules."

- DFO will work with interested parties to make decisions on the **best use of fisheries resources** that are consistent with conservation objectives and legal obligations.
- **Aboriginal fishing** for food, social and ceremonial purposes will continue to have priority after conservation requirements.
- The access and allocation process must be, and must be seen to be, fair, transparent and subject to **clear and consistent rules** and procedural requirements.
- Commercial licence holders should play a more **direct and central role in access and allocation decision making**.
- DFO should develop clear criteria to enable **marine recreational and aquaculture entry** into fisheries, consistent with best use.

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Governance

"Fisheries management decision-making should be shared."

- Decision making in fisheries management should ensure that **all participants share responsibility for a sustainable fishery** through their participation and effective representation at every level of the fisheries management system.
- Management decisions affecting a particular fishery will normally be made as **close to that fishery as possible** and, as a first step, will primarily involve local resource users.
- Licence holders must consider and **accommodate the interests of other stakeholders** when fisheries decisions affect other interests.

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Appendix A

Wrap up

Final Observations

Summary of meeting

- Key points

Next Steps

- distribute summaries of the public consultations

Further information

- stay in-the-loop: keep checking our web site!
www.dfo-mpo.gc.ca/afpr-rppa
- Call toll free
1-866-233-6676

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Appendix B

ATLANTIC FISHERIES POLICY REVIEW PUBLIC CONSULTATIONS

LIST OF REGISTERED SPEAKERS BY LOCATION

Registered Speakers – Dartmouth – March 12, 2001

- Peter Stoffer, M.P., Sackville-Musquodoboit Valley – Eastern Shore
- David Coon, Conservation Council of New Brunswick
- Don Aldous, SWNS Tuna Association
- Howard Epstein, MLA for Halifax-Chebucto
- Earle McCurdy, Canadian Council of Professional Fish Harvesters
- Michael O'Connor, National Sea Products
- Dr. Martin Willison, School of Resource & Environmental Studies, Dalhousie University
- Joanne Weiss, (graduate student) School of Resource & Environmental Studies, Dalhousie University

Registered Speakers – Antigonish – March 13, 2001

- Mike Newell, President, Guysborough County Inshore Fishermen's Association
- Stewart Beaton, Area 19 Snow Crab Fishermen's Association

Registered Speakers – Sydney – March 14, 2001

- Jeff Brownstein, President, Local 6 Maritime Fishermen's Union
- Gord MacDonald, Area 30 Fishermen's Association/Area 23 Snow Crab Fishermen's Association
- Jack Coffin, Stewards of St. Ann's Harbour Association

Registered Speakers – Yarmouth – March 15, 2001

- Shawn Symonds, Woods Harbour, Shelburne Co. speaking on behalf of full time fishermen who do not own commercial fishing licences.
- Mark Butler, Ecology Action Centre
- Herald Theriault, Bay of Fundy Inshore Fishermen's Association
- Graeme Gawn, Maritime Fisherman's Union Local 9
- Jan Slakov, Box 35, Weymouth, NS, President, Enviro-Clare
- Denny Morrow, Nova Scotia Fish Packers Association
- Jean Guy d'Entremont, Inshore Fisheries Ltd
- Vince Goreham, Independent Fisherman
- Wayne Spinney, West Nova Fishermens' Coalition and LFA 34 Lobster Committee
- Sterling Belliveau, Warden, Municipality of the District of Barrington
- Evan Walters, Scotia-Fundy Inshore Fishermens' Association

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Registered Speakers – Gaspé – March 19, 2001

- André Boucher, Regroupe des Pêcheurs Professionnels de nord de la Gaspésie
- Stéphan Morissette, Président, Regroupement des mariculteurs du Québec
- Yvan Bernier, Consultant

Registered Speakers - Cap-aux-Meules, Iles-de-la-Madeleine - March 20, 2001

- Gabrielle Landry, Fédération des Pêcheurs semi-hauturiers du Québec
- Leonard Poirier, Regroupement des pêcheurs propriétaires des Iles-de-la-Madeleine

Registered Speakers – Blanc Sablon – March 21, 2001

- Jean-Richard Joncas, President Polyvalent Fishermens' Association, Old Fort, Blanc Sablon

Registered Speakers – Sept Iles – March 22, 2001

- Chef Jean-Charles Piétacho, Conseil des Innu de Ekuanitshit, Assemblée Mamu Pakatatau Mamit
- Bernard Poirier, Association pour les droits de pêches aux espèces marines Inc.
- Michel Dion, Association pour les droits de pêches aux espèces marines Inc.

Registered Speakers – Quebec – March 23, 2001

- Audrey Samson/Jacques Brunet, Alliance des pêcheurs professionnels du Québec
- Guy Girard, Société touristique du FJORD

Registered Speakers – Charlottetown – March 27, 2001

- Chris Wall, Malpeque Lobster Fishermen
- Kevin Robertson, PEI Fisherman's Association
- Eddy MacGillivray, Blomming Point Property Owners
- Dave Gillis, Province of Prince Edward Island

Registered Speakers – Moncton – March 28, 2001

- Gérald Haché, New Bandon Fishermen's Association
- Sherwood Good, New Bandon Fishermen's Association
- Mike Belliveau, Executive Secretary, Maritime Fishermen's Union
- Paul Jagoe, Class B Lobster Licence Holder
- Stephen Chase, Atlantic Salmon Federation
- Jean Gauvin, Directeur de l'Association des crabiers du Nord-Est Inc.
- Ariella Pahlke, Nova Scotia Women's FishNet
- Mary DesRoches, Nova Scotia Women's FishNet
- Ian Andrew, Maritime Representative, Canadian Sportfishing Industry Association
- Inka Milewski, Conservation Council of New Brunswick

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- Donna Murray, Botsford Professional Fisherman’s Association Inc.
- Jeannine Poulin, Association des Employé(e)s d’Usines de Produits Marins
- Gary Dedrick, Eastern Fishermen’s Federation
- Franklin d’ Entremont, Swordfish Harpoon Association
- Alyre Gauvin, Association des Pêcheurs de Poisson de fond Acadien (APPFA)

Written brief received from: Ludger Lagacé, New Bandon Fishermen’s Association

Registered Speakers – St. Andrews – March 29, 2001

- Greg Thompson, Fundy North Fishermen’s Association
- Floyd Hawkins, Retired Fisherman
- Dale Mitchell, Fundy Weir Fisherman’s Association
- Joseph Labelle, New Brunswick Seafood Producer’s Association
- Eric Allaby, MLA Fundy Isles
- Klaus Sonnenberg, Grand Manan Fishermen’s Association

Registered Speakers – Port au Choix – April 3, 2001

- Holly Patey, River of Ponds Harbour Authority
 - Deputy Mayor Priscilla Boutcher, NLFM
- (Neither speaker was able to attend, but they did table copies of their presentations)

Registered Speakers – Port aux Basques – April 4, 2001

- Councillor Cynthia Downey, NLFM
- Joanne Clarke, Executive Assistant to Honourable Kelvin Parsons, Minister of Justice, representing the Towns of Burgeo and Ramea on behalf of Mayor Allister Hann, Burgeo Town Council

Registered Speakers – Grand Falls – April 5, 2001

- Edward Jones, non-Core Fisherman
- Al Wurdemann, Town Planning Coordinator, Town of Harbour Breton
- Mayor Walwin Blackmore, NLFM,
- Conrad Collier, Coast of Bays Corporation
- Mervin Rice, non-Core Fisherman
- Mayor Claude Elliot, Town of Gander

Submission tabled by Jerden Bennett, Mayor of Baytona

Registered Speakers – Clarendville – April 6, 2001

- Fred Best, Mayor, Town of Clarendville
- Tom Osborne, Mayor, Town of Arnold’s Cove
- Michael O’Connor, Highliner Foods (National Sea Products)
- Steve Moyses, Discovery Regional Development Board

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Registered Speakers – Goose Bay – April 10, 2001

- Councillor Graham Letto, NLFM
- Claude Rumbolt, FFAW

Registered Speakers – St. John’s – April 11, 2001

- Owen Myers, Newfoundland and Labrador Wildlife Federation
- Winston Fiander, Canadian Executive Service Organization
- Earle McCurdy, Fish, Food and Allied Workers Union
- Mayor Derm Flynn, President Newfoundland and Labrador Federation of Municipalities
- James Chidley, Vice-Chairman, Southern Shore Inshore Fishermens’ Action Committee
- Grace White, CanJam Trading Limited
- Councillor Peter Miller, City of St. John’s
- Carl Philip Parsons, General Public
- Gus Etchegary, Fisheries Advocate
- Alastair O’Rielly, Fisheries Association of Newfoundland and Labrador
- Boyce Taylor, General Public
- Councillor George Cooper, Town of Grand Bank

Registered Speakers – Iqaluit – April 18, 2001

- Jim Noble, Nunavut Wildlife Management Board (on the topic of Conservation)
- Carey Bonnell, Department of Sustainable Development, Government of Nunavut (on the topic of Economic and Social Viability)
- Peter Keenainak, Qikiqtaaluk Corporation (on the topic of Access and Allocations)
- Bert Dean, Nunavut Tunngavik Inc. (on the topic of Governance)

Appendix C

ATLANTIC FISHERIES POLICY REVIEW

ALPHABETICAL LIST OF WRITTEN COMMENTS SUBMITTED

1. Andrews, David
2. Best, Kevin, Fisherman
3. Boucher, Rheal
4. Bowers, David
5. Brown, Kingsley, Social Worker
6. Cameron, Steve
7. Canadian Association of Prawn Producers
8. Canadian Sportfishing Industry Association
9. CanJam Trading Ltd.
10. Canning, Dave, Fisherman and Aquaculturist
11. Chafe, George, Chairperson, Southern Shore Fishermen's Action Committee
12. La Chambre de commerce de Sept-Îles inc.
13. Charles, Tony, St. Mary's University
14. Chiasson, Albert, Fisherman
15. Clearwater Fine Foods Inc.
16. Cloutier, Bruno, Groundfish fisherman
17. Cloutier, Bruno, Groundfish fisherman
18. Le Comité de protection de la santé et de l'environnement de Gaspé inc.
19. Coastal Communities Network
20. Copes, Parzival, Emeritus Professor, Simon Frazer University
21. Corkett, C.J., Senior Instructor, Department of Biology, Dalhousie University
22. Counsel, Patrick J.
23. Department of Agriculture, Fisheries and Aquaculture of New Brunswick
24. Derosby, Guy, Fisherman
25. Eastern Shore Fisherman's Protective Association
26. Edwards, Capt. Richard, Fisherman
27. Faith in Action Committee
28. Fédération des pêcheurs semi-hauturiers du Québec
29. Fédération régionale Acadienne des pêcheurs professionnels inc.
30. Fillier, Edgar W., Mayor, Town of Englee, NF
31. Fisheries Association of Newfoundland and Labrador
32. Fisheries Council of Canada
33. Fisheries Council of Canada
34. Fleming, Randy, Fisherman
35. Forum des maires de la Péninsule acadienne
36. Gauvin, Guy, Fisherman
37. Girard, Guy, Director General, Société touristique du fjord
38. Goodyear, Eugene, Fisherman
39. Groundfish Enterprise Allocation Council
40. Gulf NS Fleet Planning Board
41. Holloway, Wayne D.

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42. Houde, Michel
43. Jelleau, Lynn, past member, former Guysborough County Women's Fisheries Enhancement Association
44. Labrador Inuit Association
45. Lane, Daniel E., Professor, University of Ottawa
46. LeBlanc, Lloyd
47. Loeman, Tommy
48. Loeman, Tommy
49. Lower North Shore Fishermens' Association
50. Macgillivray, Eddy
51. McDonald, Ellie
52. Marshall, Stephen
53. Martin, Adam
54. McAllister, Don E., Ph.D., Vice-President, Ocean Voice International
55. Miller, R.J., Research Scientist, Bedford Institute of Oceanography
56. Milsom, Scott, Coastal Communities Network
57. Morris, Jim
58. Newfoundland & Labrador Fish Harvesters Fleet (150 Pot) Association Inc.
59. Newfoundland and Labrador, Government of
60. Nickerson, Sheldon A., Fisherman
61. Nunavut, Government of
62. Office of the Commissioner, Aquaculture Development
63. Parker, Mr., Harbour Authority of Hall's Harbour
64. Patry, Holly E.
65. Perry, Neil
66. Regroupement des pêcheurs de la Haute et Moyenne Côte-Nord
67. Regroupe des Pêcheurs Professionel de nord de la Gaspésie
68. Le Regroupement des gens d'affaires de la Péninsule acadienne
69. Robert, Caroline, Student, l'Université du Québec à Montréal
70. Roussel, Rene, Fisherman
71. Sabeau, Ralph, Fisherman
72. Salmonid Association of Eastern Newfoundland
73. Salonius, Peter, Natural Resources Canada
74. Saulnier, Andre, Fisherman
75. Seafood Producers Association of Nova Scotia
76. Sharpe, Ronald, Full-time Licence Holder
77. Small, Ralston, Fisherman
78. Smith, Allen
79. La Société des Acadiens et Acadiennes du Nouveau-Brunswick
80. Stafford, Chris, Fisherman
81. Taylor, Cyril, Chairperson, Nordic Economic Development Corporation
82. Theriault, Dwayne, Fisherman
83. Theriault, Lisa
84. Touesnard, Irvine
85. Touesnard, Sam, President, Richmond County Inshore Fishermen's Association
86. Tucci, Beverley
87. Watson, Lee
88. Wright, Tony, Lourdes de Blanc Sablon
89. Yeadon, Maureen