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**Chair**

**Mr. Tom Wappel**

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## Standing Committee on Fisheries and Oceans

Wednesday, September 28, 2005

• (0905)

[English]

**The Acting Chair (Mr. Bill Matthews (Random—Burin—St. George's, Lib.)):** Good morning. First of all, I would like to welcome you all here to the Standing Committee on Fisheries and Oceans. We have some witnesses here with us this morning.

The committee is here this morning, pursuant to Standing Order 108(2), for a study on the northern cod, including the events leading to the collapse of the fishery and the failure of the stock to re-establish itself since the moratorium. That's the piece of business for which the committee has chosen to be here in Newfoundland and Labrador today. Of course, yesterday we were in Bonavista for a day of hearings, and tomorrow and Friday we'll be in St. John's for a couple of busy days. So that's why we're here.

First of all, I'd like to introduce the members of the committee: no stranger to Newfoundlanders and Labradorians, Mr. Loyola Hearn, member of Parliament, of course, for St. John's South—Mount Pearl; Mr. Gerald Keddy, from the Conservative Party out of Nova Scotia—I don't know if it's South Shore—Mr. Kamp, from the Conservative Party in British Columbia; Monsieur Blais, a Bloc Québécois member of Parliament from Quebec. I'm not sure of the riding. I know it's Îles-de-la-Madeleine, but I think there's something in front of that, Mr. Blais. Then we have Mr. Peter Stoffer from Nova Scotia, who is with the New Democratic Party; and Mr. Shawn Murphy, from the governing party, who is Parliamentary Secretary to the Minister of Fisheries and Oceans and is from Prince Edward Island. Of course we have our support staff here, interpreters and so on.

I want to welcome our witnesses. Jacob Hunt will be the spokesperson. Jacob is a vice-president of the Rural Rights Boat Owners' Association.

Jacob, you have some gentlemen with you. I'm going to say at the outset that your opening statement will be for a maximum of 15 minutes, and then the committee will go into a question and answer period, designed time-wise by the committee by regulation that we'd accepted. So the amounts will vary as we go around the table.

I'd like you to start off, Jacob, and introduce the gentlemen who are with you, please, for the information of our committee.

**Mr. Jacob Hunt (Vice-President, Rural Rights Boat Owners' Association):** Mr. John Smith is a member of the Dover Food Fishery Committee. Ken Critchley is also a part of that committee, and Beaton Keats is a part of that committee. A number of people in Newfoundland have certainly heard Beaton on open line a number of times.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much for introducing the other gentlemen for us, Jacob. We'll begin now with your opening statement, and after that we'll go to questions.

**Mr. Jacob Hunt:** Okay. Bill, I'd like to thank you very much for giving me the opportunity to do this. On several occasions I've tried to get the message across Canada, particularly by writing *Maclean's* and various other newspapers and magazines, and have been unsuccessful. So finally I get to say something to a group of people from outside of Newfoundland. I'm glad to see you people here. I thank you very much for coming.

The mandate, apparently, of this committee is to find out what led to the collapse of the fishery and why there has been no recovery. I'm going to offer reasons as to why there was a collapse of the fishery, but I certainly am not going to give you reasons for why there has been no recovery, because, as I hope to prove to you after I'm finished with this little presentation, there has been a considerable, if not massive, recovery. I'm speaking mainly of the inshore; I can't speak for the offshore.

What led to the collapse of the fishery, particularly in 2J, 3K, and 3L, was, I would say, a mismanagement by the three groups that controlled it, starting in 1972: first, ICNAF, which is the International Commission for the Northwest Atlantic Fisheries; NAFO, and I think you're all familiar with that one; and DFO, of course, which is our own governing party. I can't say I'm going to be exactly kind to DFO. I think they've been the cause of the demise of rural Newfoundland based on the decisions they've made. All of these groups set their quotas too high, and certainly based on little, if any, scientific data. They didn't control foreign overfishing and they are still not controlling foreign overfishing. One of the biggest things that led to this is the fact that the technology that was used to catch those fish was far ahead of our knowledge of the fish, mainly because there was a lack of research being done.

By the way, if you want to refer to a graph that I passed out, you'll see that the things I'm about to say are pretty well all summed up in the graph.

Before 1972 there was a complete free-for-all. The stocks were raped, not only by the foreigners but also by our own fleets. If you look, for example, at 1968, you'll see that in excess of 800,000 metric tonnes were landed, and it was about the same in 1979. After that came a drastic decline, and from 1972-1976 you had the international committee for North Atlantic fisheries take responsibility. If you look at the dots on this graph, which represent the actual quotas that were set, you can see that they were considerably higher, and in a lot of cases only about half of what the quota was could be caught. And you know that those fisher boats out there, both Canadian and foreign, would have caught it if they could have caught it.

● (0910)

In 1972, for example, a quota of 700,000 metric tonnes was set, and less than 500,000 metric tonnes were landed. In the five years that this organization was responsible, not once was the quota caught. It didn't even come close.

In 1977 Canada established a 200-mile limit, and DFO became responsible for this. What's interesting is that from 1977 to 1987, you can see that neither could the quotas set by DFO be caught. What I find hard to understand is this: how could an organization go eleven years and not learn from what happened in the previous years, in this particular case?

Another interesting thing is that the moratorium was declared in 1991. There was just as much fish caught in the inshore in 1991 as was caught in 1985, and yet there was no moratorium declared in 1985, when they had pretty much the same data there.

I would ask you, from looking at the track record that you see here, if you owned a business would you want this group to manage it? I just want you to think about that.

This graph says another thing as well, and points to it blatantly, that in the offshore there has been a massive decline in catches from 1968 to 1991, but the same is not true for the inshore. If you follow the black on this chart, you will see that from 1959 to 1991 the catches in the inshore remained relatively constant. As a matter of fact, in 1991, when the moratorium was declared, there was a greater catch, in some cases double, than what was caught in 1973, 1974, and 1975.

Later on I'll get to a survey I did, and you'll find some statements from fishermen. It's understandable, the statements they made, asking why there was a moratorium in the first place. In the offshore no doubt there was a drastic decline, but in the inshore catches there wasn't.

I've heard DFO officials say they wanted the bay stocks to "overpopulate", as I'll term it, in the hopes that they would migrate to the offshore, but there is no scientific evidence whatsoever to suggest that this even happens. I know they have tagged fish in the inshore, but I've never heard talk of one being caught in the offshore.

Bill or Loyola, I don't know if you have heard that. I've never heard it.

Again, I would suggest that one of the biggest reasons for the decline in the offshore is foreign overfishing and of course our own overfishing. I saw a program one time, I think one of the *News in*

*Review* videos they used to do—you can get this from the CBC—and in the video a boat goes out from Marystown to the Hamilton Banks in late March. Apparently, according to the scientific evidence, that's the main spawning season for the cod. This particular boat goes out, and at that time they had a hole in the net so they could only bring in 30,000 pounds per haul. They dragged through a group of fish, hauled in 30,000 pounds, and then the guy says, "Now we're going to drag 19 more times", which would give you a figure of about 600,000 pounds for that longliner. Then when night came, it was as if it was a city out there. The guy asked specifically how many Canadian or Newfoundland boats were there, and he was told there were 15 there now, 15 on the way out, and 15 on the way in.

So in the space of a week, say, that's 600,000 pounds for 45 boats on a spawning ground. And this is just one week. If you're looking for reasons why there's a decline in the offshore, that's one obvious reason. And that didn't include the foreign vessels that were there. Of course, DFO is unable or unwilling to do anything about the foreign overfishing.

● (0915)

From 1985 to 1988 the European Union had a quota of 35,000 metric tonnes, and they themselves reported taking 165,000 metric tonnes, five times more than what their allowable quota was.

In 1991 NAFO declared a moratorium on the nose of the Grand Banks. The EEC ignored it completely, and it was estimated that they caught 50,000 metric tonnes. This is still occurring and will continue. I wonder why our own government will not do something about this.

I'll give you a couple of examples of mismanagement, this time specifically referring to DFO. I'll come to what I term a 2005 blackback fiasco.

For one thing, they couldn't decide how to give the fishermen a quota because they didn't want to have a recreational fishery. We call food fish a recreational fishery; I would term it a cultural rights fishery. They gave it too late, when all the blackback were gone. Generally, the blackback is caught at the time when the capelin is around. They used 15-and-one-half-inch mesh nets. DFO allowed them to do this. A 15-and-one-half-inch mesh net catches blackback—flaties, we call them—and flounder. It catches those fish that are too small to be of any commercial use.

Many of you probably heard of the *Estai*, which was arrested on the Grand Banks for putting liners inside their dragnets. Well, they actually caught fish that were too small.

DFO basically told fishermen to go out and put out 15-and-one-half-inch mesh nets. I'll assure you right here and now that I'm not going to blame anything on fishermen, because what they had to do in a short period of time to try to make a living when I think they could have made a fairly good living if regulations had been right...

Some fishermen caught 1,000 pounds per net. This is an estimate. I'm going to tell you later on about one who reported more. This was only a 2,000-pound bycatch, yet they were allowed to set 15 nets. You do the math. If you're allowed to take 1,000 pounds out of a net—and you're allowed to set 15—and you only had a 2,000-pound quota, why in the name of God was this given? This resulted in thousands of pounds of cod being dumped. I've spoken to fishermen who said they hauled up their nets...and they ended up in one case just cutting through the gut so that it would sink to the bottom, so it wouldn't look too bad floating on the water. DFO estimated that 2.3 million pounds of fish were caught. I would estimate that there were at least 3 million, and that doesn't include what was dumped. Then DFO says there's not enough fish out there for a recreational—or call it what you like—fishery.

The next example—and you try to figure out where conservation comes in, which is apparently the main reason DFO gives for not opening the fishery. I'll use one of the rules that fishers had to abide by. Say, for example, when this was open, a fisherman set 15 nets on a Monday morning. Tuesday morning his motor breaks down. Now he's about 15 miles from his own port and he has to get towed back. By the time he gets towed back, of course, there's not much he can do; the day is gone. The DFO rule? You can't borrow another fisherman's boat and move all those nets. Now what does this mean? The next day—and I know from my own port in Hare Bay he would have to come to Clarenville to get his motor fixed. So this is now Tuesday gone and here it is Wednesday. If he can't get his motor fixed, he's got to go through miles of red tape to try to borrow another fisherman's boat. Let's assume he gets it done on Wednesday and gets back out to his nets on Thursday. This is four days and three nights those nets are out there fishing. For those of you who don't know, a gillnet that's in the water overnight is long enough. For two days you've got half the fish spoiled. For three days you've got it gone completely, except for the first fish that got into them.

So there they are now allowing 15 nets to be set, possibly catching 1,000 pounds of fish per net, left out for four days. Again, you do the math. How much fish is destroyed in this period of time by a ridiculous rule? I will say this is just one of many of the moronic rules that DFO makes and fishermen have to abide by. I'm sure you'll probably hear some more as time goes on.

So in conclusion to this particular part, I would say that the collapse in the offshore has been a mismanagement by the three groups I mentioned: ICNAF, NAFO, and DFO.

Our government is not controlling foreign overfishing. It's continuing now. I don't know how many of you are familiar with the piece that was put in the paper by Averill Baker, which was refuted by Morley Knight, but in the meantime it's proven again by her that out there now there are still about 6,000 to 7,000 metric tonnes of bycatch being allowed. You know and I know that there's far more than that being caught out there now.

The so-called experts—and I like the term because I want to say something about the group you're going to meet with tomorrow—have made decisions and they say they base it on scientific data. Where is this scientific data coming from?

Another point I want to make is the real experts weren't listened to in the past. In the 1980s they were saying, "Look, the fish are smaller and there are fewer". But no, they didn't listen. If you look at the 1980s, these were the same years that DFO scientists were giving the politicians data and DFO was setting quotas that could not be met again.

• (0920)

I have another one—

**The Acting Chair (Mr. Bill Matthews):** It's just about time. I don't know how much you're going to....

**Mr. Jacob Hunt:** I have one, quickly.

I did a survey on 12 fishermen from St. Anthony to Conception Bay, getting a feeling of what it was like before the moratorium and what it was like after the moratorium. The 12 people I surveyed spent from 17 to 66 years on the water. They averaged 32 years, with 393 years accumulative. It's a small number, but a considerable number in man-hours.

Bill, did you say the time was up now?

**The Acting Chair (Mr. Bill Matthews):** Well, you've been about 16 minutes now.

**Mr. Jacob Hunt:** I'm not sure about the other part here, but maybe I can answer that as questions are being asked.

**The Acting Chair (Mr. Bill Matthews):** Sure. It's appropriate that you do it with the question. That will be fine. We have other witnesses scheduled to come behind you, and we don't want to have them backed up too far.

Before we go any further, I want to welcome your member of Parliament, Mr. Scott Simms.

Now we're going to a round of questioning beginning with the Conservative Party, Mr. Hearn, for ten minutes.

**Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC):** Thank you very much, Mr. Chair.

Let me thank the witnesses for coming. Briefly, before we ask questions, let me say a couple of things.

The committee you see around you is not just a bunch of politicians somebody sent down from Ottawa. We're here because we wanted to come. We were the ones who asked to come. We had asked to deal with this issue last spring, had gotten the approval of committee. Things were too tight in the House for any of us to be allowed to travel, and funding would not be provided, so consequently everything was put on hold.

If we had been able to come last spring, we might have avoided some of the problems we had this summer. However, maybe because of what happened this summer, we can have more ammunition to deal with the issue now to make sure that it never happens again.

Your association actually, and those of you around the table, were heavily involved in highlighting the concern about the northern cod generally. And if it did nothing else—you can argue either way, I suppose—it certainly attracted attention, and that is something we can do if we want to get a problem solved. In our case, certainly on this side of the table, we always try to act as a group, but we're not in government and we can't change the rules. But we can create an awareness, and this committee has done it, with the coast guard, with the overfishing issue, whatever. And we have seen some progress—not what we wanted—and we have created an awareness and getting to the point where government can no longer duck its responsibilities. Collectively we've been telling them that. It hasn't been one party or the other; it's been a unit.

Generally, we're here because we asked to come to deal with this issue because we're not satisfied at all that we've gotten any answers. We've seen scientific evidence diminished over the years, cuts to science. George Rose, for instance, who is one of our better scientists, as you know, an independent scientist, probably the most knowledgeable person on northern cod, had his sea time taken away by DFO this summer. So the studies that they were doing, tying in some facts and figures on inshore stocks versus offshore stocks, migration, all of that is out the window.

We had fishermen yesterday who appeared before us, did a very good job, yourselves, and we're going to hear from others that the inshore stocks, at least the base stocks, seem to have come back probably more plentiful than ever. That's using the words of some of the people we have talked to.

Is there enough there to sustain the fishery without the migration of the larger stocks? Could we wipe them out? Should there be a recreational fishery? Should there be a commercial fishery? I really don't know, because I'm hearing bits and pieces, and I'm sure everybody is. You're seeing some of the evidence. But if we had the kind of science that we should have to be able to couple it with the on-the-water science, as I call it, of people directly involved, we should have the answers to these questions. That is why we are here. We hope that the evidence we will get we'll be able to combine, because we're going to get it from all sides, I'll tell you that, from those who want to list cod as an endangered species to people with concerns like yourselves, to fishermen who depend directly on it, to some of our good scientists. And we'll also get it from the political people, who will probably tell us what the minister wants to hear.

Hopefully, we've been around long enough to decipher some of that, because some of us grew up in the boats; we've been there, we've been on the water. So that's why I really think that these hearings are not just a waste of time, and this is not a committee that will do a report that goes on the shelf. We have to table our report publicly in the House. It has to be responded to in the House by the minister. That generates debate. That brings the issue where it should be, where we haven't been able to get it before. So that's why we're here.

In relation to questions, I'll defer to my colleagues from Nova Scotia and British Columbia, because the more support we build up among the parties and among people from different parts of the country, that's how we're going to get our topic listened to. It's no good if one Newfoundlander or three or four of us stand up and wave the flag if nobody else is going to pay attention. But collectively we've been able to attract attention, and we'll need the help of these people and their parties.

Generally, Mr. Hunt, if you were the Minister of Fisheries, what would you have done in relation to a commercial or recreational fishery this summer, and on what would you have based your decision?

● (0925)

**Mr. Jacob Hunt:** If I had had that opportunity, I would have definitely had a commercial fishery that would have been in the area of about 5,000 pounds per fisherman. I would certainly not have allowed gillnets to be used. The fishing method would be hook and line, trawl, which would not destroy any fish, regardless of what the weather conditions were. I certainly would have a recreational fishery or a food fishery open—call it what you like; I tend to call it a cultural fishery.

One of the things we would have been able to find out—I think we already found it—is what's out there. We don't know, for any other reason.

I will come back now to the scientific data, for example, that they claim they have. The 12 fishermen I interviewed, as I told you, have accumulated 393 years on the water. Only one person has ever seen a DFO boat out there doing a survey, and they were tagging fish in Conception Bay. So if you take 393 years on the water and not see any research being done, there can't be any, particularly in the bay.

We need to experiment. As many of the fishermen have said, yes, we have a limited fishery, and yes, we have a recreational fishery, but we do it at an experimental level that will determine what's out there. If we find that the fish are out there and they are sustainable, we could increase it, we could decrease it, we could keep it the same, or we could cut it out altogether, but at least we'll know.

**Mr. Loyola Hearn:** Thank you very much, Jacob.

One of the things we recommended at the start of the season was that perhaps with the recreational fishery properly done, coordinated with scientists, we would be able to determine right around our coasts what type of fishery we had. Nobody listened to that, of course. But then to appease the fishermen, I guess to give them the blackback fishery.... One guy told us yesterday, "Boys, I didn't catch a blackback, not one, but I got about 1,600 pounds of dressed fish."

• (0930)

**Mr. Jacob Hunt:** This is what's interesting. I know the DFO officials in Newfoundland, particularly Morley Knight, come on saying that they give the foreigners a 5% bycatch. Yet with what we're looking at here, and the figure they came up with in this blackback fishery, they give our own fishermen a 700% bycatch.

I had a guy call me from a fish plant and say, "Jake, I don't know you, but I have to tell you this; I just had a fisherman come in and weigh off five pounds of blackback and the monitor weighed off 700 pounds of cod".

By the way, there are some pictures going around the table that I'll explain. Those things are not phantoms, as DFO would have you believe; these are actual fish. We had a protest, and you will see some pictures. In that vat you will see fish. There were approximately 400 to 500 people there. We gave the fish out to the senior citizens first and then to any other person who came to the wharf, and they all went away with fish. This happened within a three-hour period. It took us a half hour to go there and a half hour to get back. We fished with rods. Now, that is not the traditional way of fishing. Had we fished with nets, we would certainly have gotten more fish. So in two hours, at a time of day when no Newfoundlander would go fishing—in the middle of the day, with the water low, and in our area a westerly wind—we should not have gotten fish, yet they were quite plentiful.

The other pictures you see there is... After having accepted to come to this meeting, I went out mackerel fishing, as they call it. We have to say that because we're not allowed to catch and release. In the meantime now, if we get a cod fish on, we're allowed to let it go. So we say we'll go out mackerel fishing. You will see some fish there that are rather large. We took some pictures of some. We let go about 100 or more fish, like you saw, in the space of a couple of hours. As a matter of fact, part of my hand is still red from hauling it up, and that was two weeks ago. When they tell you there are no fish out there, it's a load of BS.

**The Acting Chair (Mr. Bill Matthews):** You just have a few seconds left and then we have to—

**Mr. Loyola Hearn:** I was going to make the remark that if a fellow complains about welts on his hand, he doesn't spend a lot of time on the water.

**Mr. Jacob Hunt:** I spend a lot of time on the water, but I'm not allowed to—

**The Acting Chair (Mr. Bill Matthews):** Right now we'll go to Monsieur Blais for seven minutes, please.

[Translation]

**Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ):** Thank you, Mr. Chairman.

Allow me to begin by introducing myself. I am a member of the Bloc Québécois for the riding of Gaspésie—Îles-de-la-Madeleine. This is and has been a fishing region. There is considerably less fishing activity today, especially in terms of cod. We are therefore specially interested in the cod fishery.

Could you please tell me what the difference is between in-shore and off-shore zones? How does one decide where one ends and the other begins? How do you decide what distinguishes them?

[English]

**Mr. Jacob Hunt:** I don't think we can actually say in terms of the mileage. I think it's based on the size of the boat. Inshore fishermen generally fish from their own ports and generally come back to their own ports. They fish in smaller boats. I think Bill or Loyola might know that generally 65-foot boats and above are particularly offshore and the boats that are below that I think are considered the inshore fishery. I think it's mostly determined by the size of the boat and where they fish from.

The inshore fishery to me is more like open boats: speed boats, 22-footers; I think it goes up to 35-footers. The ones in between could be offshore and inshore.

• (0935)

[Translation]

**Mr. Raynald Blais:** Could one conclude from the table you handed out that fishing boats in the current in-shore zone are yielding more than fishing boats in the in-shore zone as described in your table? Are the boats performing better now than they used to?

[English]

**Mr. Jacob Hunt:** You're talking about the inshore?

[Translation]

**Mr. Raynald Blais:** Yes.

[English]

**Mr. Jacob Hunt:** The fishery of the inshore has been consistent. In terms of becoming better performing, the methods in the inshore have not changed very much. At one time we had cod traps, but these are no longer allowed; we've switched to gillnets. In some places around the province they still use hook and line. In these places, up through the moratorium, the fish were more plentiful than where gillnets were being used. The technology in the inshore hasn't changed a whole lot, other than people using depth sounders and fish finders, but depth sounders mainly to find the depth of water to put in their gillnets.

[Translation]

**Mr. Raynald Blais:** If the cod fishery were re-opened would you prefer long-line over gill net fishing?

[English]

**Mr. Jacob Hunt:** Yes, definitely. Gillnets, when left in the water, kill a considerable number of fish. The quality of the fish is far less than what you would get on a hook and line.

I assume when you say hook and line you mean just a hook and the bait. In this type of fishery the fish can stay on a long time without dying. So the quality is there and it kills fewer fish.

[Translation]

**Mr. Raynald Blais:** Does that method yield less than the other? How does gill net compare to long-line in terms of performance?

[English]

**Mr. Jacob Hunt:** Performance-wise, with the number of fish that are around now, I would think you might take a little longer to get fish on hook and line than you would in gillnets. Some fishermen prefer gillnets for this reason; others realize the negative effect of gillnets and prefer hook and line. The amount of gear that they'd have in the water and the number of trawls or hooks and lines that they'd use would determine whether they would catch as much fish in one day using either method.

[Translation]

**Mr. Raynald Blais:** Would you agree that the fish are more abundant in certain in-shore areas, depending on the circumstances, of course? For various reasons not all in-shore areas contain the same number of fish. The numbers can vary from one area to another, would you agree?

[English]

**Mr. Jacob Hunt:** The history of the Newfoundland fishery would bear that out to be true. You will find some places where the fish are larger, some where they are smaller, some places where they are more plentiful, and some where they are less plentiful. You will find that at varying times throughout the year and from year to year, the fish are more plentiful in some places than they are in others, yes.

[Translation]

**Mr. Raynald Blais:** Are we having a second round?

[English]

**The Acting Chair (Mr. Bill Matthews):** I'm not sure, Mr. Blais. You have a minute or so left.

[Translation]

**Mr. Raynald Blais:** I'd like to move on to another point. Why would we conclude that you support the idea of working with scientists?

[English]

**Mr. Jacob Hunt:** Our hope in cooperating with scientists, I would think, from a commercial and recreational standpoint, is that we would collect data. Apparently the federal government is not willing to put into the fishery to collect the data or do the research that is necessary. At least those people would be out there and we could have log books and collect the data individually and send it in to DFO and they could do a study on the data that is sent in by the commercial fishermen and the recreational fishermen.

• (0940)

[Translation]

**Mr. Raynald Blais:** Would you agree to being part of a group or committee made up of fishers and scientists and charged with making recommendations to the department or minister?

[English]

**Mr. Jacob Hunt:** Yes.

[Translation]

**Mr. Raynald Blais:** Why?

[English]

**The Acting Chair (Mr. Bill Matthews):** The time is up. I think we'll get a short round of questioning after, but we'll deal with that after we conclude the first round.

Mr. Stoffer, for five minutes please.

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Thank you, Mr. Chairman.

Thank you, sir, for your presentation.

One of the concerns we heard yesterday was the request by some groups to have a limited commercial fishery. And then we heard the concerns about what happens or how would you manage or control if you gave 90,000 licenses to Newfoundlanders for a recreational or, as some call it, a food fishery and how could that be monitored. It would be difficult, because a lot of it would probably have to rely on the honour system.

If DFO were to allow a limited fishery, in your opinion, would it be based on just a limited commercial fishery, like a pilot program, or would it be a recreational or food fishery? Is it one or the other—or, in your expert opinion, could you have both? This is strictly for the inshore. If possible, could you explain as to why you would think either way on that?

**Mr. Jacob Hunt:** One of the biggest reasons I'm here is because I live in a rural community that I want to see continue to exist. If a couple of things are put in place—and the cod fishery is the backbone of this—and should COSEWIC end up succeeding in having the northern cod declared an endangered species, even though it's just around the island of Newfoundland, and assuming they don't swim elsewhere... This seems to be the assumption they're making.

With regard to a recreational fishery and a commercial fishery, for rural Newfoundland we need both. From the tourism aspect, a recreational fishery is major. The commercial aspect creates jobs, and we need that.

How would it be ruled? You're asking me how it would be—

**Mr. Peter Stoffer:** Monitored.

**Mr. Jacob Hunt:** —monitored. I'll give you an example. If I were on a wharf in my home town right now and two poachers on an oil tanker came in with the oil tanker full of fish, I wouldn't open my mouth about it. But if we end up getting this back to where it should be, and then if one person came in and I saw them filleting fish, I'd report them.

I think the key to all of this, as for everything in the future, is to educate the people about the resource, and hopefully the people will monitor themselves. I would think there would be far less poaching going on if it were open than is going on now.

I don't want names. I don't care what the names are. I know there's as much fish now as there ever was, probably more, coming into the communities around this coast. How can you not do it? You go down to a wharf, and over the wharf there are cod going around.



As a young boy, I lived on the wharf. I caught all kinds of tomcod, sculpin, flatties, tansies, we called them. I spent hour after hour there, and I can't ever recall catching a codfish off the end of a wharf. I know of people who have caught in the hundreds off a wharf. In an area in a park in Hare Bay people used to go fishing for sea trout and they'd come back with cod this long. DFO won't allow them to do it now. If I were driving along in a car, I'd be looking like that—you know, like I couldn't believe it. This is very unusual. Fishermen are getting cod in lobster pots. They're getting them in herring nets. That never used to occur before.

So from the monitoring aspect, I think the people would do it themselves. We know what we've lost. We know what we want back. And we don't want to lose it again.

**Mr. Peter Stoffer:** So it's fair to say that in your opinion, you could do both. You could have a limited commercial fishery, as we heard yesterday in our testimony, as well as at the same time a limited recreational or food fishery. Is that correct?

**Mr. Jacob Hunt:** Yes.

**Mr. Peter Stoffer:** Have you presented this summation to DFO officials in terms of an organization, and if you have, what has been their response to it?

• (0945)

**Mr. Jacob Hunt:** We have sent numerous requests and information to DFO and the minister, and to date we have not had any response whatsoever. We've sent requests for Minister Regan to meet with us, but we have had no response whatsoever. As far as I know, the provincial government has also requested this, and as far as I know, they've had no response.

I've offered data to Morley Knight's office about what happened in the protest fishery. By the way, we already know what's around the island, because the protest fishery, even though... I'm going to use the guy's name, because he publicly said that there were 100 boats on the water in the protest fishery. That is, and I will say now—and he can charge me if he'd like—one absolute lie, and a big one at that.

The next morning I did a survey around the province. I contacted 11 places, only one on the west coast. I came up with 353 boats in 11 instances. I know, for example, in our own case—and I have the names and the phone numbers of the boat owners, and the lady who was responsible just down the bay from us—there were 90 boats that were on the water in our little area. Morley Knight said there were 100 boats on the water around the province, and only 24 fishing. They determined that from a plane flying around about 300 to 400 feet above us—that there were only 24 boats fishing. My God, they must have the eye of an eagle to be able to do that.

In other words, there's something amiss here. I called them and offered to go around—we have the organization around the island now—and get the names of every boat owner who was there. Then we could say, "Look, there is the real evidence".

They also said—and by the way, I have it if you want to look at it... When we were on the water in the protest, we had DFO going around and around us, absolutely intimidating us, sometimes to the point where there was almost violence created. The next time we decided to take a video of them, as they were doing of us. I brought that video for you if you want to take it.

**The Acting Chair (Mr. Bill Matthews):** Thank you, Jacob. Thank you, Mr. Stoffer.

We're going to have to switch to Mr. Simms for ten minutes.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Thank you very much, Mr. Chair.

First of all, I apologize for being late, as we had a bit of a washed out road towards Bishop's Falls, so I came by canoe, actually.

Let me start by saying welcome, Jacob. Jacob and I have talked on many occasions, as well as the gentleman on the end here, Mr. Beaton Keats, whose petition I introduced in the House of Commons with the Dover Food Fishery Committee. It's good to see you.

For the benefit of the other members here, I'd like to paint a story of just how perverse this has become in its fine form. I had a meeting with a plant owner north of where these plant managers live. Traditionally they would say, let's focus on the commercial fishery; they don't want to hear talk of a food fishery or a recreational fishery right now. I asked him, "How do you feel about all of the protests, and how do you feel about the recreational fishery?" He said, "Bring it on." I was puzzled, and I said, "You seem to be enthusiastic about it. For yourself?" He said, "No, for my plant." I said, "It doesn't make much sense." He said, "Let me tell you how it doesn't make much sense, but in actual fact it does." He said, "We don't have a directed fishery—both recreationally and commercially—but what we do have is an indirect fishery with this blackback and the bycatch of the 2,000-pound quota." He said, "My plant invested in a groundfish line; we put a lot of money into it. We were expecting capelin, which came in; we were expecting other species, but we were also expecting the 2,000 pounds per fisher on the blackback."

This is what they're doing. They come in with their bycatch, they weigh it and register it, and then they do what they call weigh-back; instead of selling the fish to the plant, they take it back. So what do they do with it? Do they do it for their own consumption? No, they don't. They sell it off a truck and go door to door, and they sell it at probably three or four times, maybe even more, what the market price is.

He said, "If there was a recreational fishery, these people buying the fish at their doorstep would have their own fish. They only want four or five maybe, just enough to put on the table for the winter." He said, "That's how perverse it's become." He said, "Do we have a fishery? Yes, we do, but it's not running the right way." He said, "It's either all or nothing, and that's the situation we're in."

I want to ask Jacob to comment on that, and just comment on the situation in your town. How insulting would it be for someone to walk up and say, "I'm here to sell you a codfish", yet you can't go out and get one yourself?

• (0950)

**Mr. Jacob Hunt:** To continue from where you left off, that was one of the points I was going to make. In this 2.3 million pounds of fish that DFO says were caught—and I think there were far more—there was not one hour of employment created in rural Newfoundland because of the way it was set out. There were two reasons for this: the price of fish at the plants and the fact that, as you said, people weren't allowed to go out and catch their own fish.

I lost my train of thought. Would you repeat the question again?

**Mr. Scott Simms:** It wasn't really a question. I just wanted you to paint a picture of what it's like in the town, where people traditionally get two or three fish.... I guess what I'm asking you is this. When some people in DFO say that the uptake of fish is too much on a recreational fishery, it sort of paints a picture that we're out there to get whatever it is we want to get. The one thing I've learned in this job is that that's not always the case. We do respect the species. We just want a few to carry us over for the winter.

**Mr. Jacob Hunt:** That is absolutely true. Actually, when the moratorium was declared and there was no fishery, and finally a recreational fishery or a food fishery—call it what you like—was opened, there were far more people on the water than there had ever been before. I had more fish in my fridge then than I'd ever put there before, mainly because I didn't have it and now I could go and get it and I wanted as much as I could get, the limit. I wouldn't take over the limit, but I think they said at the time, I'm not sure, 30 to 45 fish, 15 fish at a time the first time.

I had 45 fish, which I went and got because that limit was set. Had that limit not been set, I would have probably taken 20. That would have been enough for me—plenty. I might have taken a couple more for my 86-year-old father, but that's it.

A number of people who were on the water... I know a friend of mine who has a business in Hare Bay used to have his prop shop right over from my house. I'd be going out in the boat and I used to say, "Well, I'm going out fishing. Do you want to dart out?" "Nah, I'm not going to bother with that. Give me a fish when you come in." When it was open, I was out in the boat three times and I couldn't get away from him. He was chasing me to go out all three times. That was because it was something we were always used to and now we could do it, so we were going to do it. I would say, had it been open and left the way it was, there would have been far fewer fish taken than were taken in the recreational fishery.

I don't want to go out there and fish all the time. I want to be on the water, but I go out to my cabin, which I don't do very often now, but at one time I did it a lot.

If I took two of you guys out, I would like to say, "Boys, would you like to have a meal of fresh cod boiled in salt water?" "You'd probably say, 'I've never tasted it in salt water.'" I don't know, maybe you have or haven't. We'd catch a couple of fish and we'd have that.

I might go out a couple or three more times during the year, and that's it. Come the end of August, I might go out and catch ten nice cod that I'd salt and dry for my winter. I will not put a fresh fish in the freezer and keep it there, because after a couple of weeks I can't stand it anyway. It dries out too much for me.

So that's the extent of my personal experience, and a lot of Newfoundlanders are like that, particularly coastal Newfoundlanders. No one out there wants to destroy that fishery.

**Mr. Scott Simms:** For the record, could you describe the recent enforcement procedures by DFO in your protest fishery? I know we've discussed this before, but I'd just like you to put it in the record for the committee.

• (0955)

**Mr. Jacob Hunt:** DFO officials who were on the water were intimidating. On this video, you will not see it because the camera didn't pick it up, but you'll hear a fellow say, "Oh my such-and-such, he almost swamped me." When the boat goes out with the cameras—our cameras now, to do what they're doing to us, taking pictures of us—with those two big motors on, they give it to her and the wave goes. As a matter of fact, the fellow sitting in the back of the boat, the water came up and soaked him from there down.

They were bumping boats. They've laid charges. Their methods of laying charges were Gestapo in nature. Their techniques on the water were Gestapo in nature.

For example, a friend of mine who works in St. John's was out on the water. They came to his house, walked up with their sidearms on, in full view, and knocked on the door. The man of the house wasn't there. The lady opened the door, terrified. Up came her five-year-old son, and when she looked down, there he was, shaking. She wouldn't answer any questions. She said, "Hang on until I take him back outside." She took him outside, and then she came in and they asked questions, clearly upset that she wouldn't accept the summons.

As far as I know, legally she doesn't have to accept a summons for someone else. They might have been living in the same house, but she might have had nothing to do with the man.

Anyway, when they left, in came her son through the back door, crying and saying, "Mom, were they here to shoot daddy?" I mean, there's a guy terrified over this, a fellow who just went out to protest the fishery and had this.

His own brother... they walked up to the door and asked if Boyd was home. She said, "No." They said, "I have a summons here for him." "Well," she said, "I can't accept a summons for someone else." They said, "You are accepting it, then," and they took it and threw it on the porch.

In another incident, where I was there personally, I watched them come into my brother-in-law's. He was totally cooperative with them and gave them the information. When he asked them for their names and badge numbers, as we were advised to do by the lawyer, they gave him an absolute "No". I can't be certain, but I believe there was a certain word put in front of the "no" as well. Eventually they did give a name but refused to give the number.

I have another brother-in-law who was charged, who owns a lotto booth in the Fraser Mall. They walked in and told him what they were there for, and he said, "Guys, can you give me 15 minutes until I'm finished here?" He said, "This is my business. I don't want this to be seen." The two officers put their arms there and there and blocked anybody else from getting to the booth.

This is the kind of treatment, Scott, that we got from them.

**The Acting Chair (Mr. Bill Matthews):** I have to interrupt here, gentlemen. The ten minutes has expired and we don't have enough time left for another full round of questioning. In the cordial manner of this committee, I shouldn't jump to say I'm sure, but I anticipate there would be agreement that we could go with one question per party, if you don't mind—a short question, a short answer.

Do I have consensus, agreement?

**Some hon. members:** Agreed.

**The Acting Chair (Mr. Bill Matthews):** The other thing is, as your chair I would like to remind you that we're here to talk about what caused the collapse of the northern cod and why it hasn't come back and why some people think it hasn't come back, or why you may differ in that opinion. I just want to try to keep us on track as to our standing order and the mandate of the committee on this issue.

The Conservative Party—I don't know who will go first, but whoever. Mr. Keddy?

**Mr. Gerald Keddy (South Shore—St. Margaret's, CPC):** Thank you, Mr. Matthews. It's great to be here. I guess it's part of your riding.

**The Acting Chair (Mr. Bill Matthews):** No, it's Mr. Simms'.

**Mr. Gerald Keddy:** Oh, we're still in Scott's riding. I would have thought we'd have moved around the island a bit.

**Hon. Shawn Murphy (Charlottetown, Lib.):** I would have thought that after the excellent job Mr. Simms did yesterday as chair he'd be back in the chair today.

**The Acting Chair (Mr. Bill Matthews):** No, we had to take the gavel from him.

**Mr. Gerald Keddy:** Thank you very much for coming, gentlemen. It's a very compelling testimony here this morning. Certainly it matches fairly closely what we've been hearing on at least a partial opening or a small catch being allowed in the inshore fishery and a lot of anecdotal evidence to state that the inshore stocks are absolutely separate from the offshore stock.

I'm just a little surprised, and I've heard it fairly continually now since we've been here, at that disconnect between science and yourselves who are actually on the ground and observers. And most science is just observation. So the scientist is a lot closer to what you guys are doing than the DFO officer or your local politicians, or the federal government.

I continually hear that, and I would think everyone would be better off if there were a better connection between the fishery and the fishermen, the recreational fishery and science.

• (1000)

**The Acting Chair (Mr. Bill Matthews):** Do you have a question, Mr. Keddy?

**Mr. Gerald Keddy:** Yes. I'm just wondering where that comes from and I'm wondering who feeds that, because really you're a lot closer to science than you are to politics.

**Mr. Jacob Hunt:** Well, actually you give me the opportunity to mention tomorrow's slate and this business of COSEWIC wanting the fish declared an endangered species. We're looking at fish here now. When I asked one gentleman, an 86-year-old fisherman who had fished for 66 years, "What do you think the fish are like now?", he said "They're as plentiful as when John Cabot came over."

In the meantime, one of the people who you have on the panel tomorrow, Mr. Hutchings from Dalhousie University, made a statement on the paper that was put out on the endangered species movement about cod, one of the endangered species. An intelligent guy, he supposedly made a statement that 99.9% of the cod are gone.

Now, to me that statement is idiotic. How do I put reliance in someone who would come out and say that when we have fish almost coming through the pipes in our bathtub?

**An hon. member:** There's a lot of it.

**The Acting Chair (Mr. Bill Matthews):** We'll go to Mr. Blais now for a short question and your short answer. Short question, short answer, please.

[*Translation*]

**Mr. Raynald Blais:** Thank you very much.

I'd like you to go into greater detail regarding the issue of collaboration with scientists. You stated that you were willing to work with scientists within a committee framework. I would like to understand how you can agree to work with people you have more or less faith in. Is it because you have to?

[*English*]

**Mr. Jacob Hunt:** It's not that I don't trust scientists. What I don't trust is the fact that they are making decisions based on what they say scientists have researched that hasn't been. That's the problem I have with it. Secondly, with the example I just used, I wonder, and maybe you can ask him: "Mr. Hutchings have you ever been out on the water doing scientific research? How much scientific data have you seen since this research was supposed to have been done, and what is the latest scientific data that you've seen?"

Much of what it's based on—this drastic decline in the offshore—is like you see on this graph right here. This is what's being used, but in the inshore areas we know there are fish in our bays like there have never been before. Five million pounds floated up in Smith Sound. George Rose said that besides the five million pounds that floated up, the fish were still 14 fathoms deep.

So with regard to cooperating with scientists, I surely would. I'd do anything that I could to help them.

**The Acting Chair (Mr. Bill Matthews):** Thank you, Jacob.

Mr. Stoffer, a quick question, please, and another quick answer.

**Mr. Peter Stoffer:** Chair, the one thing that DFO is good at, in my own experience, is a divide and conquer mentality.

I would like you to ascertain for the committee... Yesterday we heard from commercial fishermen who asked for a limited commercial fishery, and now we're hearing from the recreational and food fishery for a limit of that. Has your organization formed a cooperation with the commercial fishermen so that instead of going your separate ways you are working together cooperatively, and so that DFO will understand you're all working together, instead of individually?

**Mr. Jacob Hunt:** We've certainly tried that, and I'll give you a little example in a minute that will probably make you chuckle again.

With regard to working with the fishermen and the divide and conquer that you mentioned, all you had to do was look there. I firmly believe that had we not had a protest, the fishermen would not have gotten a blackback catch. But this was a chance to divide and conquer, so therefore they split us up. We had the support of the fishermen. We still have the support of the fishermen in a lot of cases.

I know in my community—and this is the example I'll use—I wondered what I could do to send the message and raise money at the same time; so I sold tickets on a hundred pounds of codfish. The fishermen donated it. Many people thought that we poached it, but we didn't; the fishermen donated it. And we did quite well.

•(1005)

**The Acting Chair (Mr. Bill Matthews):** Thank you.

Mr. Murphy, the final question, please.

**Hon. Shawn Murphy:** Thank you very much, Mr. Chairman.

I'd like to thank the witnesses for appearing.

I just want to follow up on this theme of the disconnect between science and the fishing industry. Do you people get copies...? For example, I have a copy here of a 21-page report on the May 2005 stock assessment of the northern cod. Do you people get those?

**Mr. Jacob Hunt:** I haven't seen them.

**Hon. Shawn Murphy:** Basically—if I could summarize—it more or less confirms a lot of what you're saying. They put a biomass of the offshore of 19,000 metric tonnes, which is about 1% of the historical amount, and 50,000 metric tonnes on the inshore, which may or may not be right, but it does confirm a lot of what's being said by the fishers and by you.

In my experience, science is underfunded; it's a very difficult job, but there is a certain amount of it being done. Do you get these reports and you don't read them?

**Mr. Jacob Hunt:** No, I haven't seen that report.

I would just stop you there for a minute. You're saying that they're estimating there are 50,000 metric tonnes in the inshore. Is that what you're saying? Now, where did this come from? This is my problem.

**Hon. Shawn Murphy:** It's all in the report here.

**Mr. Jacob Hunt:** Okay, it's in the report, but where did it come from? What research was being done? As I just told you, I have fishermen from all around the east coast who have never seen a boat doing research—in 393 years.

**Hon. Shawn Murphy:** In fairness to the science, I've never seen a fishing industry or a fishermen wanting to see a TAC decreased. Anytime a catch goes down the science gets blamed—bad science—but when the catch goes up, does anyone say it's good science?

Let's give an example. In the last twenty years, we've had a very successful snow crab industry in Newfoundland. It's about \$1 billion now. There are a lot of wealthy fishermen here in Newfoundland, and you know a lot of them yourself. Do you people say and do the people of the province say that it's a well-managed fishery, that there's a lot of wealth being created, that science is doing one hell of a good job? Do you say that?

**Mr. Jacob Hunt:** Well, we couldn't say that this summer.

**Hon. Shawn Murphy:** I know this summer there have been problems, but over the last twenty years it's gone up and there's a lot of wealth in people's pockets because of the snow crab. Do you say that the science is doing an excellent job in that fishery?

**Mr. Jacob Hunt:** I can only answer this one personally. I'm not saying it was an excellent job, but they have done a better job than they did with the fisheries.

**Hon. Shawn Murphy:** That's not a fishery; that's a—

**Mr. Jacob Hunt:** The cod fishery, right?

**The Acting Chair (Mr. Bill Matthews):** Gentlemen, it's an interesting debate, and I'm sorry to interrupt, but we're out of time. We now want to have one more question—though I know about those “one more questions”.

We're going to suspend now for two minutes so that our next witness, Mr. Gilbert Penney, may come to the table.

So once again to our witnesses, thank you so very much for coming, and thank you, Jacob, for your enlightening testimony. We really appreciate it.

•(1005) \_\_\_\_\_ (Pause) \_\_\_\_\_

•(1010)

**The Acting Chair (Mr. Bill Matthews):** We now have our next witness, Mr. Gilbert Penney, who is a commercial fisherman and a member of the inshore council of the FFAW, I believe. I understand that you represent a large geographic area. I want to welcome you here this morning.

As you fully understand, we're talking about northern cod and what led to its demise or collapse or the failure of the stock, and really why it hasn't re-established itself since the moratorium. This is the mandate and reference of the committee.

With that, you have a maximum of 15 minutes for an opening statement, and we'll then have a round of questions from members, which you just witnessed.

So welcome, and please proceed.

**Mr. Gilbert Penney (Commercial Fisherman, As an Individual):** Thank you, Mr. Chairman.

Good morning. First of all, I would like to thank the members of the committee for the opportunity to present before you today.

As the chairman said, my name is Gilbert Penney, and I'm a full-time inshore commercial fish harvester from Hickman's Harbour on Trinity Bay. I'm the owner-operator of a multi-species, under-35-foot enterprise, with 24 years of experience fishing groundfish, pelagics, and shellfish. I fish from St. Mary's Bay in the south to Black Tickle, Labrador, in the north.

I was one of thousands of fish harvesters who witnessed an alarming decline in the catch rates of northern cod throughout the 1980s, and who raised their concerns to the DFO and warned that we were on the road to disaster.

You'll forgive me if I'm a little bit nervous, as I'm not used to this.

•(1015)

**The Acting Chair (Mr. Bill Matthews):** Don't be nervous. There's no need to be nervous here.

**Mr. Gilbert Penney:** I'd a lot rather be in a hall with a bunch of angry fishermen.

**The Acting Chair (Mr. Bill Matthews):** Well, we wouldn't be. Thank you for coming alone.

**Mr. Gilbert Penney:** DFO ignored all the warning signs and our concerns. DFO science, based entirely on the offshore trawl surveys, maintained that the stocks were healthy. In my humble opinion, I feel that they were catering to the growing fleet of large, cooperatively owned draggers at the expense of the inshore harvesters and our communities. In the end, we were right; the fishermen were right.

Today we are again at a crossroads in the fishery, only this time the tides have turned.

Before the decline in the 1980s, my catch rates for cod averaged between 30 and 60 pounds per net. I made a living on these kinds of catch rates. Today, through information being gathered from limited directed fisheries for cod, bycatch, and from other fisheries, such as

flounder, and from province-wide sentinel surveys, we are witnessing a growth in northern and gulf cod stocks.

We have dispelled the DFO science argument that cod are congregated in small pockets such as Smith Sound and not abundant in all areas. This past summer, catch rates proved—and DFO has the statistics—that cod are abundant and well dispersed. We cannot ignore catch rates of 500 to 600 pounds per net—1,000 pounds, in some instances. How high do catch rates have to go before we recognize that stocks are indeed improving?

I'm very concerned about DFO's lack of commitment to science. This is a critical time for the future of Canada's east coast fisheries, a time when scientific data collection and an understanding of the status of our stocks should be expanded, not scaled back. It appears that the only reliable data being collected now is the sentinel survey data being collected by the fish harvesters themselves. Sentinel survey results have been extremely positive, and many suggest the results support a controlled commercial index fishery on the northeast coast.

Furthermore, an important part of the sentinel program is the tagging of fish. However, without a commercial index fishery, those tagged fish have no way of being recovered, returned, and tracked.

I'll just elaborate on that a little bit. As I said, you can go out there, and if you put on 50,000 or 60,000 tags, there's no way to determine, if you don't have some way to recover some of these tags, what's happening out there. If you go out there and you take a stock of fish and put in that many tags and you have an index fishery or a commercial fishery and no tags come back, that would indicate to me that there's an abundance of cod out there, but if you put out 50,000 or 60,000 tags and you take back 25,000 or 30,000, that tells me we're in trouble, because we're catching up the fish that are there.

My opinion, based on 24 years of experience, is that the time is right for a commercial indexed fishery. It's the only way fish harvesters and government will be able to truly measure the status of the stock over time and space.

Finally, I'd like to say one more thing about COSEWIC. There's no doubt in my mind that cod has a long way to go before the stock reaches historical levels. However, every indication in the past several years from directed cod fisheries, bycatch fisheries, and sentinel surveys points to a stock that is improving in health, in abundance, and in geographical distribution.

All I ask is that those who know the industry best, which is the fish harvesters themselves, be listened to and given an opportunity to prove that a small commercial fishery is both sustainable and valuable. We were right before, and I'm certain we will be proven right again.

I have one other comment. Placing cod on the endangered species list is simply not warranted and is simply the wrong thing to do at this time.

Thank you for your time.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much, Gilbert, for your opening remarks.

We'll now go to our round of questioning, beginning with Mr. Kamp, from the Conservative Party.

**Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC):** Thank you, Mr. Chair.

Thank you, Mr. Penney, for appearing. I appreciate your comments.

Let me start with some clarification, if I can.

I think you said in your comments here that you witnessed a decline in the 1980s—in the inshore, at least. That's where you were fishing in the 1980s as well. You've always been an inshore fisherman.

• (1020)

**Mr. Gilbert Penney:** Yes, again depending on how you class the inshore. As I said, I fish from St. Mary's Bay to Black Tickle, around 32 miles. I fish out of Black Tickle for turbot, groundfish. Other than that, I use cod traps, gillnets, in the inshore.

**Mr. Randy Kamp:** The graph that Mr. Hunt showed us shows that the inshore catch in all of the 1980s was relatively stable. It was not very different, in fact, from the big years, I suppose, if there were big years, in the 1960s. I'm wondering just how to square that. Were you catching less in the 1980s? Even though it looks like the inshore catch, according to this graph, was no different in the 1980s from any other.... Well, it was higher than it had been in the 1970s, according to this.

**Mr. Gilbert Penney:** As I said, I've fished for some 24 years, and 10 of these years—straight consecutive years in the 1980s—I spent on the Labrador coast prior to the moratorium. Again, going back to when I fished on the Labrador, I used gillnets down there also.

I was there in 1988, I think it was, and what I saw down there then was this. We were using gillnets with five-and-a-half-inch mesh, fishing alongside the Quebec boats in the Black Tickle area. We were picking up fish on the sounders, and we were setting our nets. They were using five-and-a-quarter-inch gear and less, and that was legal for them, but it wasn't legal for us. What I saw in that zone at that time is that where we were pulling out nets and probably getting two or three fish out of a net, these guys were coming in with very good catch rates, and we couldn't understand why. We were practically within a quarter of a mile of each other, and as I said, we were picking up fish on the depth sounders, setting our gear down among those fish.

By accident, as happens out there, you will cross gear, and we pulled up their nets. And for one reason or another, I said to the guys who were fishing with me, "Let's see the size of gear they're using". So we cut out a section of their gear and measured it, and as I said, that's what we found out. But again, they were legally fishing with the gear that they were entitled to fish with, and we were too. But the fish were getting smaller and the catch rates were going down.

Again, as I said, in the 1980s I sat on a committee called the Fishermen's Improvement Committee, based out of Clarendville. Some of you may be familiar with it. For years we were telling DFO that the catch rates were doing down. As I said, in my opinion, the only reason the fishery was closed in 1992 was because the large corporations were offshore and they saw the catch rates going down. They were dragging for cod in the winter months in the spawning

grounds, and when they couldn't make a profit of it, that's when the fishery closed down.

I would say that 1991 in the Smith Sound area, where I'm from, was probably one of the best years in the history of commercial fish caught in that area. Again, I think one thing we have to get through to governments and to DFO is that there are two stocks of fish, in my view. There's an inshore component of the stock and there's an offshore component. As I said, if I go back to when I was a boy and I lived at the mouth of Smith Sound, in the month of April my grandfather would put out the cod traps to catch the fish going out of Smith Sound, which were fish that wintered in there over months—and not only in Smith Sound, but in all these deepwater inlets.

**Mr. Randy Kamp:** I guess that's what I need to clarify in my mind, and I think probably the committee does too. Is it your testimony that the inshore has never really declined; that it was never in a serious state of decline that would have required a moratorium if we were only dealing with the inshore, say, in 1992; that in the offshore it was a different stock, a different dynamic? Yes, there was evidence that due to whatever—overfishing and a variety of environmental factors perhaps—it declined and may have required a moratorium out there, but is it your testimony that the inshore was always relatively stable and sustainable?

• (1025)

**Mr. Gilbert Penney:** I guess what I'm saying here is that in the inshore the base stocks of fish were always there. They were there from day one. They were just never recognized by DFO scientists prior to 1992, or the last few years. There was never any data collected on the inshore fishery, on what the stocks were there. Everything was based on the northern cod offshore. Again, as I said, you had two different stocks. We fished in the spring of the year, and then when the month of July came the fish migrated from offshore with the caplin, and that was an offshore fishery.

**Mr. Randy Kamp:** That's a very good point, I think.

The other question I have is, didn't we kind of go through this in the mid-nineties? Following the moratorium it became apparent that there were fish inshore, and by—what was it?—1998 they allowed inshore fishing again. Then they discovered that—correct me if I'm wrong, I'm no expert here on this for sure—they were sort of in decline again and they closed it again in 2002, I think it was. Are we sort of at that place again, or are we at a different place? I guess that's the question. Could an argument not be made that if we open it up again for at least a limited commercial fishery or a recreational fishery, we'll go through that cycle again—we'll have one or two or three years of fishing and then it will be discovered that the stock doesn't sustain it?

**Mr. Gilbert Penney:** The point you're making there, and again you're basing it on what scientific evidence has shown you... I don't buy that argument. The argument I'll use is the fact that the fish dispersed around the coast in those years. I think if you talk to commercial fishermen around the coast you will see that's what happened.

Again, if you look at this year in particular—and this gentleman talked about the blackback fishery—there were fish all around this province. So the fish did disperse. If we look at the evidence again, all I've been saying is that the only thing to base it on is the Smith Sound cod fishery. Those are the only scientists I see. And prior to this year the only... Dr. George Rose used to come in here and do the surveys and stuff, and the fishermen were saying we need to get into the other inlets, in Notre Dame Bay, in Bonavista Bay. There are fish in there also.

I can remember when commercial fishermen would go up in the winter months and cut holes through the ice, up in the Charlottetown area and Bonavista Bay, up in South West Arm. There was no work done in these areas, not to my knowledge.

So what I say to that is the fish dispersed around the coast and I think you'll see that. If you look at the sentinel surveys, the cod stocks are picking up around the area.

**Mr. Randy Kamp:** So in 1998, when it reopened... Am I right in thinking that it did reopen there?

**Mr. Gilbert Penney:** It reopened, yes. I think we had a quota of up around 7,000 pounds per enterprise.

**Mr. Randy Kamp:** 7,000 pounds?

**Mr. Gilbert Penney:** Yes I think so, somewhere around there. That was only for a short period. I think it opened with 2,500, actually, to start with.

**Mr. Randy Kamp:** Just one final question. I haven't heard an answer to this yet. I've asked it once or twice. If commercial fishermen were given sort of a limited commercial fishery, I would say 5,000 to 7,000 pounds each, how big a difference does that make? I mean, you have a multi-species operation. In economic terms, how would that affect the average commercial fisherman?

**Mr. Gilbert Penney:** I'm glad you asked me that, because now it gives me the opportunity to respond to the gentleman over here when he made the comment that there are a lot of wealthy fishermen out there.

My comment to him was, yes, I will agree there are some wealthy fishermen out there, but I challenge you to find them in the under-35-foot fleet.

**Hon. Shawn Murphy:** I wasn't referring to that. I was talking about the mid-shore fishermen.

**Mr. Gilbert Penney:** Okay, that's fine, but when you paint a picture of wealthy fishermen, the conception is out there that everybody in Newfoundland who's in this fishing industry has got thousands of dollars. Well, I'll tell you, there are a lot of people out there now in my fleet who won't qualify for EI this year.

So when you ask me what 5,000 or 7,000 pounds of cod means, I'll tell you what it has meant to me, personally. I laid off a crew member this year. I couldn't take him because I didn't have the resources to maintain him. So 5,000 to 7,000 pounds of cod to me means a heck of a lot. It means \$5,000 or \$6,000, and in an enterprise like I operate, which grosses anywhere between \$35,000 and \$50,000 a year, depending on what I'm at, you take \$5,000 or \$6,000 out of it and it's a hell of a lot. So it means a lot to me.

• (1030)

**The Acting Chair (Mr. Bill Matthews):** Thank you very much.

We have to move on now to our next questioner, Mr. Blais, for seven minutes, please.

[*Translation*]

**Mr. Raynald Blais:** Thank you, Mr. Chairman.

Good morning, Mr. Penney. I'd like to begin by improving my understanding of your situation. Do you belong to a fishers' association, and if so, which one?

[*English*]

**Mr. Gilbert Penney:** Yes I am. I'm a member of the Fish, Food and Allied Workers. I also sit on the inshore council of that organization. I'm elected to that position by the fish harvesters from around the geographical area of Trinity Bay.

[*Translation*]

**Mr. Raynald Blais:** Fine. How many fishers are in your committee?

[*English*]

**Mr. Gilbert Penney:** I represent approximately 1,000 to 1,200 fishermen in a given area with all sizes of vessels, right from the 65-footer down to the speedboat.

[*Translation*]

**Mr. Raynald Blais:** You began by pointing out that your boat is less than 35 feet long. Is that so?

[*English*]

**Mr. Gilbert Penney:** Yes, it is.

[*Translation*]

**Mr. Raynald Blais:** Have you noticed any seals and do you have any comment on that point?

[*English*]

**Mr. Gilbert Penney:** Yes, I do know of the seals, particularly in the spring of the year when we're at crab and stuff like that and fishing in the bay. My personal opinion is that they are part of the reason why the cod are not recovering. I was out there during the winter months, hunting other species like sea birds and stuff like that, and it's not unusual to see seals out there in the winter months and in the spring. It's not unusual to see a seal bring up a codfish from the deep and just rip the belly out of it, and the cod is left floating on the water.

With regard to seals in an area where fish are congregating to spawn, I think they have a major impact on the recovery of the fish.

[*Translation*]

**Mr. Raynald Blais:** Have you noticed any hooded seals, as opposed to harp seals, for example? What is the situation in terms of the kinds of seals you have noted?

[English]

**Mr. Gilbert Penney:** No, there's more than one species of seal around, but most of the seals that we see in the area where I'm from are harp seals; you'll mostly see the harp seal. Again, for what it's worth, I think they were a contributing factor to the fish that were floating up in Smith Sound a couple of years ago, in my honest opinion.

[Translation]

**Mr. Raynald Blais:** Are you also a seal hunter?

[English]

**Mr. Gilbert Penney:** Yes, I do.

[Translation]

**Mr. Raynald Blais:** What is the hunting season: end of March, beginning of April?

[English]

**Mr. Gilbert Penney:** The seal hunt takes place at the end of March and in April. Again, I usually just stick to the bays. If the seals come around home, then we will hunt them. I have a commercial seal hunting licence.

[Translation]

**Mr. Raynald Blais:** Are seals plentiful for hunting purposes?

[English]

**Mr. Gilbert Penney:** Yes, there are certainly enough for a hunt. I've seen herds of thousands out there. It's unbelievable; you would actually have to see it yourself to believe it. I've been out there in May, fishing on Trinity Bay, and you'll see them coming towards you and you'll be wondering what in the hell—excuse the language—is coming, and when you get there, you see herds of them, literally thousands of seals in that bay. Even if you come down in November or December, you will even find seals in the harbours—and that was unheard of before.

[Translation]

**Mr. Raynald Blais:** Has the seal market improved? Are you getting a better price now? What's happening?

[English]

**Mr. Gilbert Penney:** No, I think the world markets for seals are improving. I think we have to look at harvesting and being able to market the whole animal, not just one part of it. I think the markets are starting to improve and new markets are opening up. I think governments in particular have to focus more on listening to the people who are involved in it, as opposed to being scared of the “tree lovers”, as I call them. Excuse the language.

[Translation]

**Mr. Raynald Blais:** I am the member for the riding of Gaspésie—Îles-de-la-Madeleine. As you are aware, there are seal hunters on the islands.

You feel that seal quotas could be increased and that that would be good for cod, on top of being a good source of income, is that right?

[English]

**Mr. Gilbert Penney:** Well, I think we should be using the hunt as the market requires. But I also think there are areas of this province—and again, I'll specifically use the example of the Smith Sound

area—where seals should be taken out by whatever means we have in order to help recovery of the stocks. As I said, I have my own theory on how we should be doing it, but the powers that be don't see it that way, unfortunately.

•(1035)

[Translation]

**Mr. Raynald Blais:** Fine. What is your theory?

[English]

**Mr. Gilbert Penney:** I don't know how familiar you are with the Smith Sound area, but it's a very long indraft and it's approximately half a mile wide. To go in there with high-powered rifles is dangerous; it's dangerous to the people. There are ways you can take them out. You can take them out with nets, but environmentalists and the powers that be don't want to hear tell of that. You can take them out with shotguns using BB shot. Again, nobody wants to hear tell of it. Other than that, the only other way—and I'll tell you now, it is very, very hard, and I'm sure you realize that, to kill a seal with a rifle in a moving boat while it is in the water.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Penney.

[English]

**The Acting Chair (Mr. Bill Matthews):** Mr. Stoffer, please, you're next for five minutes.

**Mr. Peter Stoffer:** Thank you, Mr. Chairman.

Mr. Penney, thank you for your presentation.

Is the FFAW in favour of opening up a limited commercial fishery?

**Mr. Gilbert Penney:** Yes, and we've been on record as saying that.

**Mr. Peter Stoffer:** Would they be in favour of a limited commercial fishery and a food/recreational fishery as well?

**Mr. Gilbert Penney:** To my knowledge, we've never said we didn't want a recreational fishery. However, we are on record as saying that before there is a recreational/food fishery, there has to be a commercial index fishery. I have to be able to make a living at this fishery before any other access is given to this fishery.

**Mr. Peter Stoffer:** If the Minister of Fisheries and Oceans were here now and he said you could have one or the other but not both, it would be your contention that it would be a commercial index fishery on a limited scale—some say it's a pilot project—first, and then if possible, and you wouldn't have any objection if it was possible, if the stock was there, to have a food/recreational fishery as well.

**Mr. Gilbert Penney:** I don't think you'll see any problem with that.

**Mr. Peter Stoffer:** From your perspective.

**Mr. Gilbert Penney:** From my perspective, as I said, we have to have a commercial index fishery first and above all, and then if the stocks warrant it, I don't have a problem with a recreational fishery, providing there are controls on how we control it. Everything I do right now has to be dockside monitored.



**Mr. Peter Stoffer:** How many commercial fishermen, if there was a limit—we've heard the figure of anywhere from 5,000 to 7,000 pounds of fish per commercial fisherman. How many fishermen are we talking about in Newfoundland and Labrador? If the minister said we'd have a 7,000-pound catch per fisherman in this province tomorrow, how many fishermen are we talking about?

**Mr. Gilbert Penney:** You're probably talking about...in zone 3O—and I'm just thinking, because I also sit on a crab committee. There are 2,600 commercial fishermen in 3O alone who would probably qualify for that. Now, all over Newfoundland, from 2J and 3K, you'd probably be looking at 6,000 to 7,000.

**Mr. Peter Stoffer:** You're looking at a total of, say, 7,000 fishermen.

•(1040)

**Mr. Gilbert Penney:** That's enterprises.

**Mr. Peter Stoffer:** Yes, enterprises, per 7,000. That's a lot of fish. Do you think you could handle that?

**Mr. Gilbert Penney:** Yes, I certainly do, because all that fish won't be caught. Number one, it's not economical or viable for me to leave Trinity Bay and steam to Labrador for 5,000 or 6,000 pounds of fish. Therefore, given these circumstances, I would suspect that probably one-third of them would actually catch the quota.

**Mr. Peter Stoffer:** We've heard figures indicating that there are 19,000 metric tonnes offshore and an estimated 50,000 metric tonnes inshore. Yet a Mr. Douglas Sweetland yesterday indicated in his own anecdotal evidence—so he's not a scientist—that that information for inshore stock could be anywhere from 100,000 to 120,000 tonnes inshore. It's very difficult, as a committee, to know who to believe: the guys on the water who see the fish, or a scientific report that was done without any kind of basis of information for us behind it. I'm just wondering, what do you think the estimated biomass of the inshore is, or has the FFAW, with its limited resources, had an opportunity to do some educated guesses on what the biomass is for the inshore?

**Mr. Gilbert Penney:** I would be more inclined to agree with the guy from Bonavista, and I'll tell you why.

If you look at the way scientists look at science, it's based on acoustics. Again, if you went into the Smith Sound area and the *Teleost* was there, she's a large vessel. They cannot estimate anything that's less than 20 fathoms. The acoustics can't pick it up. Dr. George Rose would tell you the same thing; scientists will tell you the same thing. Once they go below a certain depth of water, they cannot determine what's around the coastline because the acoustics cannot pick it up. So in regard to the inshore fisherman, if you went into Smith Sound right now and you were in less than 20 fathoms of water, you would find fish.

In August I was involved in the blackback fishery. I had one net in 12 to 16 fathoms of water. I kept 120 codfish out of one net, averaging five to six pounds per fish, and that is not including what I released. That's a lot of live ones for one night's fishing. When I say in my statement that's 500 or 600 pounds per net, none of it is recorded in the scientific data.

**Mr. Peter Stoffer:** I have one last question.

**The Acting Chair (Mr. Bill Matthews):** That's all, Mr. Stoffer. I'm sorry. We're out of time. We'll come back to you in the next round.

Mr. Murphy, please.

**Hon. Shawn Murphy:** Thank you very much, Mr. Penney. Thanks for appearing.

I want to clarify that when we had the earlier discussion, I was talking about the midshore crab fleet. Based upon what has happened over the last ten years, there has been some wealth in that industry. But I would certainly never suggest that about the fishing industry here in Newfoundland. That's why we're here in the first place.

Mr. Penney, I want to follow up on the science. This is an important issue. For a fellow like you, who has been on the sea for 24 years, you catch the fish, you hold it in your hand, you see what's going on, and you see the changes from year to year. You represent an association. Does your association have much dialogue and interaction with the actual DFO scientists? There are other scientists too. I understand that Memorial University has people. Is there much dialogue between your association and the actual scientific community?

**Mr. Gilbert Penney:** Yes, there is. The way we've done it is to have committees in place in regard to certain species.

I'll go back to the crab committee. I sit on the crab committee, which represents the inshore stocks and the inshore zones. We meet with DFO scientists on that. I think that co-management system is where we have to get to on cod. When we meet with DFO on the crab issues, we listen to the scientists' information. We have our own information.

Again, I'll just talk specifically about the bay that I represent. For the last couple of years, we have kind of agreed on what the quota should be. At the end of the day, whatever happens, we both have to take the blame. I think that's the way we have to go with a lot of our species. If we had more cooperation when it comes to cod and scientists, and a better understanding, I think that could also work.

What we're seeing now is one-sided. At all the meetings I attend and the presentations that I've made to the scientists and to FRC, when they were doing presentations in the spring, the thing that galls me a lot is that we're not listened to.

I go back three or four years, when the minister at that time, I think, was Minister Thibeault. The FRC was about to meet with fish harvesters in Clarendville. Lo and behold, before the FRC had even done the consultations, the minister comes out and announces there is not going to be a cod fishery. That's labour in vain, right?

That's why I said in my statement that it's time someone started listening to what we're saying. A co-management approach has to be taken, but at the same time, when stocks are down, then we have to be willing to take the heat as well.

•(1045)

**Hon. Shawn Murphy:** Is it your experience that the science and the crab industry work better than the science and the cod industry?

**Mr. Gilbert Penney:** Most definitely. In my particular case, in Trinity Bay, it has. As I said, over the last few years, we've set the TAC. We'll meet again this spring, and we'll look at the logbook data and the catch rates.

**Hon. Shawn Murphy:** When you set the TAC for crab, have you had occasions when the TAC has dropped?

**Mr. Gilbert Penney:** No, we actually haven't. We've also made recommendations to DFO and we've said it shouldn't be increased.

**Hon. Shawn Murphy:** It should not be increased.

**Mr. Gilbert Penney:** It should not be increased. Again, I heard you say that you haven't heard fishermen say it, but you need to check that, particularly in the crab fishery.

In the last couple of years we've maintained the quota in Trinity Bay, and we said that we need to take a precautionary approach. Again, I'd rather go into a room with 200 fishermen, as we have done. There are people who say that we need increases, and stuff like that, but we say no; as a committee member, you elected me, and this is what our view is.

It has been working. In Trinity Bay, for small boats that are under 35 feet, we fished 12,000 pounds of crab. I'd rather fish that for the next 10 years than have 25,000 this year and nothing next year.

**Hon. Shawn Murphy:** I certainly agree with you there.

Going back to this issue about the food fishery, I take it—just to summarize your association's position—you certainly would want a directed commercial fishery for the core fishermen first and see how that gets along before you'd entertain a food fishery.

I guess the food fishery is open to anyone in Newfoundland, so you'd certainly want the priority directed to the commercial fishery first.

**Mr. Gilbert Penney:** Yes, I certainly would, and as I said before—and I think you will find a lot of people in our recreational fishery would also agree—we have to have a commercial index fishery first, and if stocks warrant it, then you could go with a recreational food fishery.

**Hon. Shawn Murphy:** But if I read the scientific report that was done in May 2005, and even if I listen to some of the statements made by you and by the witnesses yesterday, it's hard for me to visualize how, at this point in time, if you wanted to use a harvest rate of 10%—or less than 10%, if you wanted to take a more precautionary approach—it could possibly support both. The scientific report did say—I think it was in 1998—there was a directed commercial fishery and there was a food fishery also at the time. But it does state that, as a result, the biomass, according to their evidence, dropped, and that caused both the directed commercial fishery and the food fishery to be closed. That's the reason they did it.

Whether they're right or not, I'm not in any position to say, but right now, if you take a biomass of 150,000 metric tonnes, or whatever, and you open up the food fishery and you open up a 5,000-, or 6,000- or 8,000-metric tonne commercial fishery, from where I'm looking, it wouldn't sustain both.

**Mr. Gilbert Penney:** Well, from where I'm looking at it, I think we can. Again, as I said, with the fish that I'm seeing out there now...

We had to have some kind of a fishery, because what I'm seeing happening out there now is that other species are being affected, because cod is a bottom-feeder.

I can remember, in the area I come from, when we could put crab pots in Smith Sound for snow crab. You wouldn't find enough crab in Smith Sound now for a good meal, because I think the cod has taken its toll on it.

If you look at the lobster fishery, again I think you'll find that the lobster is not the same.

Cod is a predator also, so we have to put it in check. It's not unusual now to cut open cod and find other cod inside, because they are cannibals. So if we don't put some kind of a balance there, eventually it's going to take over and wipe out the stocks of other species in the bay I'm from—and from what I can gather, from Bonavista Bay also. They're going to start moving out. You'll see, because if you look at it over the history, when one species is down, particularly shellfish, then groundfish are abundant. When groundfish go down, shellfish will rebound. So you have to have a check and balance there.

I've seen cod this year, in the ten-and-a-half-inch open net fisheries, that I literally had to take out in my arms and put over the side. I'm talking about fish of 70 and 80 pounds, with heads bigger than mine. I just laid them over the side, because they were alive, and I let them go again. There's a lot of that fish out there now, and that's going to take a toll on the small stuff. It has to eat.

Over the years, I have never seen a stock of fish so healthy in my life as I have now. I can remember, as I said, when we started fishing in the 1980s. In the spring of the year, you would never get any fish for yourself, because fish were poor after the winter. In the fall of the year, when you went and got your own fish when it was good, you took healthy fish. Now you have good, healthy fish all year round, so it has to be feeding on something.

• (1050)

**The Acting Chair (Mr. Bill Matthews):** Are you finished?

Mr. Simms, do you have a quick question? You have time, if you have a question for our witness.

**Mr. Scott Simms:** I just want clarification on one thing.

We also heard yesterday about how there seemed to be a consensus around the table about using hook and line for a limited commercial fishery. How does the union feel about hook and line versus the gillnet?

**Mr. Gilbert Penney:** I'll just speak for myself—and again, I guess, from our union's perspective—that it doesn't matter what gear type you use: it's all destructive. It boils down to what I call responsible fishing. If you use gillnets and you use them responsibly, you can bring in a good quality product and not destroy the fish. If you use hook and line, you can bring in good quality fish. But you can also destroy fish with hook and line, too, just as you can with gillnets, or cod traps, or whatever. It's the individual operator who uses that gear, and it doesn't matter what kind of technology is being used.

**Mr. Scott Simms:** So based on gear-type alone, you don't think one is more responsible or less responsible than the other?

**Mr. Gilbert Penney:** I think it boils down to the individual who is operating the gear.

**Mr. Scott Simms:** Thank you.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much, gentlemen.

We now go to our second round of questions for five minutes.

Mr. Keddy, please.

**Mr. Gerald Keddy:** Mr. Chair, my colleague Mr. Hearn said he had one brief question he really needed to ask, so if he would ask it, I'll take the rest of the time.

**The Acting Chair (Mr. Bill Matthews):** Go ahead.

**Mr. Loyola Hearn:** Thank you, sir.

One of the comments Mr. Penney made about the fishermen being responsible... I've sat with St. Mary's Bay fishermen as they've developed their crab lines. You're dead on; they know what's there and they plan accordingly. They're looking to the future also.

You mentioned that when you were fishing up in Labrador in the last few years of the eighties, the fish in the gillnets were very little, yet the Quebec people... And you answered why—that the smaller mesh meant smaller fish. In most of the evidence that we heard yesterday, when people talked about what happened during the eighties, everyone talked about a southward migration, which ties in basically with what you were saying, because the graphs show the same amount of inshore fish caught generally. But where were they caught? I think that the concentration in the eighties was farther south. It was the same amount of fish maybe, but there was less in certain areas, which again depicts that.

However, when we also had the major migration from the north, as well as the migration from the heavy Grand Banks stock, the base stocks were supplemented. Those other stocks now apparently are not supplementing our base stocks, but our base stocks are growing. The big question is to what extent or how much can we catch to keep that stock consistent. I believe you just hit the nail on the head a couple of minutes ago when you talked about other species.

Do we want to see the cod come back as we had it before, or do we want to see a manageable amount, combined now with the other species we harvest? We don't necessarily depend on cod any more, but as you mentioned, the cod certainly do supplement your crab catch. So shouldn't we have a better management plan of fisheries to be able to manage all the species, so that you, and others like you, can make a living?

**Mr. Gilbert Penney:** I couldn't agree with you more. I also think that we cannot rely on just one species, which is what we're doing right now. We are on a very slippery slope, because if you go out there next year and find that no crab fishery is left in this province, then we will be in deep, deep trouble. Right? So we have to manage all of the species out there, and we have to manage them responsibly, and we have to manage cod as part of those species as well.

You're right when you say that the cod migrated from the north to the south. My own theory on some of that stuff as to why it's not offshore, if you went in beside the hill there, and you cleaned out the side of that hill with a power saw, then there's no reason for any wildlife to go back there.

I read a book eight or ten years ago called *Distant Waters*, which tells what happened in the Barents Sea with the technology that was used. As I said, all gear is destructive; it boils down to how you use it. I think the offshore has been so raked and depleted over the years that it's going to take a long time for it to rebuild, but as a result of that, some of the offshore stocks probably mixed with the inshore stocks. I don't think it's going to go back on... If you listen to some of the theories and to some of the scientists that we need this so-called Smith Sound fishery to repopulate that area, gentlemen, none of you are going to be around here long enough—and neither am I—to see that happen.

In the meantime, there's a chance to keep rural Newfoundland alive and to keep our communities alive with limited small fisheries. If we collect the data and have co-management, then I think we can sustain both.

• (1055)

**The Acting Chair (Mr. Bill Matthews):** Thank you.

Mr. Keddy, please.

**Mr. Gerald Keddy:** I realize we're running out of time here.

I would just quickly like to say, Mr. Penney, it's been a real pleasure listening to you as a witness here this morning. Some really practical comments have been made, based on solid experience on the water.

We have a graph here on the northern cod landings and TAC from 1959-91, for 2J, 3K, and 3L. When you look at that—I'm sure you've seen it, but you may not have it in front of you—in 1977, when we stopped the offshore fleet and forced them back outside the 200-mile limit, you can see that the TAC went up on the inshore fleet. I assume that's close to what was actually caught, but it may have been misreported, or it may not have been. So we see a drop. Our TAC here in 1991 is higher actually than it was in the early seventies, before they forced the offshore fleet out of here.

Now, I would assume we saw a big increase in the number of licensed inshore fishermen in the early seventies and in the eighties. I think it almost doubled or tripled. You say today there are around 3,000 licensed inshore fishermen.

**Mr. Gilbert Penney:** In 30.

**Mr. Gerald Keddy:** How many in all of Newfoundland?

**Mr. Gilbert Penney:** I would estimate there are probably around 8,000 or 9,000 enterprises all around Newfoundland. Actually I'm not quite sure.

**Mr. Gerald Keddy:** I appreciate that. What I'm getting at is we probably have fewer fishermen on the water today than we had at the beginning of the moratorium.

**Mr. Gilbert Penney:** I'm not so sure. We probably have fewer enterprises. If I'm not mistaken, we bought out so many enterprises that were registered with DFO. I'm not so sure if we have any fewer fishermen.

**The Acting Chair (Mr. Bill Matthews):** Gerald, we have to move on. Do you want to ask a quick one, Gerald, to finish up?

**Mr. Gerald Keddy:** Yes, perhaps I could. Thank you, Mr. Chair.

What I was getting at is we have seen some questionable regulations through government. I appreciate that you took away some of that. We hear a lot of negativity towards science, and I'm finding myself during these hearings to be a defender of science. That's not my usual role; I can assure you of that. I just think we have to lay the blame where it is for who sets the quota. Quite frankly, scientists give recommendations. Government sets quota. Government sets a TAC. Government decides whether the fishery is going to open or close. They based it on good science and they based it on bad science in the past, and the industry has suffered because of it.

Do you see a more general realization from your industry that science is not the enemy here, but it's someone you can work with?

• (1100)

**Mr. Gilbert Penney:** Yes, I think you're right. I think we can. As I said, in the crab fishery we work with Dr. Dave Taylor, who is a crab biologist, and we make our recommendations to the DFO representative who is there. He makes his recommendations, and at the end of the day we come to sit in a room like this and we come to a conclusion that this is what the TAC should be based on, certain things. Generally in the crab fishery, from my experience over the years, DFO have pretty well listened to it, given the fact that if something happens... And believe me, if I see a decline, I will be the first to sound the alarms, if it's warranted. So I think the same thing has to happen in the cod fishery.

As I said, we made our point in the eighties. We said the stocks were in trouble. Nobody seemed to pay any attention to us. Now we're saying that there's a bit of difference. Again, we're not asking for a 150,000 or 250,000 metric-tonne quota. We're asking for a very limited fishery, because right now we have no data. By doing logbooks and so on and by listening to what we're saying... I think we can work together and at the end of the day I think you'll see that we can have a limited fishery, and everybody will win.

I'll go back to one thing that I've seen over the years, and I hate to use this: the commercial salmon fishery. We lost that. I'll tell you right now, and I challenge you. You will not find very many commercial fishermen out there who give a damn about salmon, to be quite frank with you. If cod gets listed as an endangered species, what am I going to care about it for? That's the danger I see in some of this.

**The Acting Chair (Mr. Bill Matthews):** I'll thank you right there, because we have to move on.

I think Mr. Blais is going to pass.

Mr. Stoffer, please.

**Mr. Peter Stoffer:** Thank you, Mr. Chairman, and thank you, Mr. Blais.

Sir, this committee is going to make recommendations to DFO based on the hearings. Yesterday one of your brothers in the union indicated when asked what gear type should be used—and he was unequivocal—“hook and line”. You're indicating it could be both. It depends on the responsibility of the fishermen themselves. The challenge we have is that the hook and line is by far the least destructive fishing method. Would you agree?

**Mr. Gilbert Penney:** No, I would not, and I'll tell you why. It's because, depending on what type of hook you're using, depending on what you do with it after... And you're right, some of the fish will probably be alive when they come aboard, but with the way they're taken off the hooks and stuff like that, the smaller fish, again, you could still see fish destroyed.

**Mr. Peter Stoffer:** Then help me out in my ignorance here. What is the least destructive form of fishing? We want DFO to be able to operate on a precautionary principle. If we want DFO to open up a limited fishery, we want to make sure it's done with kid gloves to make sure that no harm comes in the long term, because we can't go on this pattern all the time. Yesterday we heard unequivocally “hook and line”, and today we're hearing you could have a mixture of both. But if DFO is to do this, they're not going to have ten different varieties of fishing methods. They'll hopefully stick to the one that is the most sustainable method of fishing. Which is it? Which one?

**Mr. Gilbert Penney:** You're asking me to name a specific gear type, and I'm not prepared to do that. What I am prepared to do is say it boils down to the individual fish harvester. The skipper on that vessel has to be responsible for the gear type he's using, and that's where the answer is: it has to be responsible fishing. If I'm out there and I'm using gillnets and I'm leaving them for two or three nights, then that's not responsible. If I'm using hooks and lines and I'm taking all small fish this size, and I'm batting them off the gunnels of the boat and they go floating away on the water, that's not responsible. So it's not the gear type, it's the people who are using the gear. It has to come down to the individual harvester.

**Mr. Peter Stoffer:** You had indicated something before about the seals, and we've heard lots of evidence over the years about seals and the destruction that they cause in terms of the recovery of the cod stocks. Yet at the same time, we hear that the inshore is recovering. So the confusion that I have after studying this for all these years is if the seals are having such a devastating effect on the stocks, wouldn't they have a devastating effect on the inshore stocks as well?

**Mr. Gilbert Penney:** Sure, and I'm not saying that they aren't. What I am saying is that the stocks are still recovering despite the efforts that the seals are placing there. They would recover a lot faster if we could curtail some of these seals.

• (1105)

**Mr. Peter Stoffer:** The FFRC, as you know, made recommendations I think a couple of years ago regarding field exclusion zones, and I asked them specifically, how would you create one? You indicated, although very briefly, how you would like to see it done. Has the FFAW got a position on seal exclusion zones, and if so, how would they, regardless of the perception of environmental groups, or government, or tree huggers or whatever, create one, say in Smith Sound, for example?

**Mr. Gilbert Penney:** Again, as I said, Smith Sound is a unique area, given the amount of cod that's in there now. I think I outlined to you what I would do. The commercial fishermen in that area know the area best. As I said, in my own personal opinion, whatever means we need to take them out with, I say take them out.

**A voice:** Net them.

**Mr. Gilbert Penney:** Yes, net them. I have no problem. Years ago, my grandfather used nets on the seals.

**Mr. Peter Stoffer:** This committee actually recommended netting for the Quebec north shore a few years ago.

My last question for you is, does the FFAW have a position on marine protected areas? As you know, the gully off Nova Scotia is now considered an MPA, and in order to assist in the recovery of stock, protect what are identified as breeding grounds or nursing grounds, what is the position of the FFAW in terms of marine protected areas where there's no oil and gas exploration, no types of gear going in there, etc.? Do they have a position, and if so, what would that be?

**Mr. Gilbert Penney:** I'm not quite sure if they have an official position or not, but I do know we have marine protected areas there. Look at the Eastport lobster protection area, which was created by fishermen, recommended by fishermen, and stuff like that. And if my memory serves me right, I think that is going to be a marine protected area, or at least it's on the agenda to be a marine protected area. So there are areas that are, but whatever happens around this province, it has to have the cooperation of the fish harvesters who live in the general area. If not, I'm telling you, gentlemen, it's never going to work.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much, gentlemen.

I think we're going to switch to the other side, if you've heard enough and are satisfied with the questions and answers given.

Gilbert, I want to thank you very much for coming today, and thank you for your interesting and very forthright testimony.

I'm going to conclude by saying, as I said in Bonavista yesterday, that sometimes people question why, as a committee and as politicians, we travel and spend taxpayers' money. I'm sure those from out of province—and it's the same for me when I go to their province or region of the country—are far better informed about the issues and understand the issues a hell of a lot better as a result of our visit and listening to people like Jake and his group, you this morning, the people in Bonavista yesterday, and the other people here today and in St. John's. It makes us better informed as politicians about regional and local issues, and it better prepares us to do our job when we get back to Ottawa to do our report, which, as Mr. Hearn said, will be presented to the House of Commons. So I can't thank you enough for coming, for presenting to us today, and for answering the questions the way you did.

Thank you very much.

We're going to suspend for two minutes to get ready for our next witness, Mr. Blackwood.

•(1105) \_\_\_\_\_ (Pause) \_\_\_\_\_

•(1115)

**The Acting Chair (Mr. Bill Matthews):** We will start again. Order.

At this time I'd like to welcome our next witness, Mr. Don Blackwood, who is a commercial fisherman. Thank you for coming in, Mr. Blackwood. We look forward to your presentation. Please proceed.

**Mr. Don Blackwood (Commercial Fisherman, As an Individual):** Thank you. Mr. Matthews, honourable members, thank you for the opportunity to speak here today.

My first topic will be the offshore. I'm a commercial fisherman in the under-35-foot class, so the offshore is simply an opinion of mine and some text that I've taken out of some other papers and from the Internet.

In my opinion, the collapse of the Newfoundland offshore cod fishery was caused by the trawlers and overfishing. Draggers drag their nets along the bottom of the ocean, sweeping up everything in their path, bottom included. It is by far the most efficient way to catch groundfish, but the ocean gets ripped up, causing great environmental damage and damage to the fishing grounds. As well, the amount of bycatch is great. The bycatch is not as valuable as the main species, and where a boat is not licensed to catch them, the dead bycatch is often dumped over the side, increasing the amount of destruction.

Selective catching of cod, also by our own trawlers, is a very serious matter and cannot be allowed to continue. Misreporting of actual amounts of cod being caught, dragging for cod instead of the intended species they were supposed to catch, and perhaps having as much as 80% bycatch where it should have been only 10% are all factors that have led to the collapse of the offshore cod fishery.

In the 1980s the number of processing plants also increased. These plants have become dependent on the dragger fleet and its catches. In answer to cries from inshore fishermen to limit the number of draggers, dragger crews would say, "If the draggers go, the plants go". Well, we're still here, still fighting the same battle.

The history of abuse is long. With many foreign companies frequently disregarding agreements and treaty conventions, there can be little doubt that foreign overfishing is a contributing factor in the cod stock collapse and that the capitalists in Ottawa who were at work in Canada were all too familiar with the foreign vessels and their companies.

Since 1977, the Government of Canada has been the manager of the fisheries. Instead of fish being a resource available to anyone with the means to catch them, they became state property. As to the rights to which they were delegated in the management plan, scientists now widely agree that politicians and bureaucrats in charge not only permitted but actually encouraged overfishing.

The federal government's suppression of the Ransom Myers research reflects attitude toward scientific evidence. Myers, who worked for DFO between 1984 and 1997 and whom his peers called "the best fish scientist in Canada", was one of the first to challenge the official view of the cod collapse. When a member of Parliament requested the paper, then fisheries minister Brian Tobin denied that it existed.

Historian Leslie Harris, who in 1989 chaired Northern Cod Review, believed that a more responsible government could have averted the cod catastrophe.

John Crosbie recalled:

We were trying to keep the catch rate high enough to save jobs of people employed by at least one of the three threatened plants owned by Fishery Products International. I believe if the quota was a bit larger, FPI might be able to keep its fish plant open at Trepassy in my constituency.

With his eye on votes rather than on the fish, Crosbie illustrated what he would later describe as “an understandable, if misguided, tendency among politicians of all stripes to put the interests of fishermen, who were voters, ahead of cod, who weren’t”. The only real significant federal government intervention in the Newfoundland fishery had nothing to do with conservation; it was actually aimed at more efficient processing and the marketing of fish. That’s my belief in the offshore.

The inshore stocks have had years of ups and downs. Prior to 1992 there were years when cod were in abundance and there were years when cod was barely able to sustain enough for personal use in certain areas.

During the first indexed fishery in 1998 or 1999, for the first time in 25 years of fishing I used hook and line and I actually saw a fish on every single hook on five lines of trawl. That was the first time in 25 years.

The next year of the indexed fishery I fished six gillnets. We put them out one day, we hauled them the next morning and we had 3,700 pounds. We hauled in the next day and we completed our quota. That was in two days.

• (1120)

The next year there was no bait on our side, so we went to Bonavista. We carried our six nets over there with us. Off Bonavista we fished for two days and caught 6,000 to 7,000 pounds of cod. It was unreal.

This year as well there’s been an abundance of cod. However, restrictions by DFO and the industry make it difficult to access the actual amount of cod on proper fishing grounds. For example, on the blackback fishery this year, DFO decided to change the mesh size to five and a half inches from six and a half inches. You don’t catch blackback in five-and-a-half-inch gear. What was the reason for the change? Was it another study by DFO to see what cod was inshore? If this was the case, then the blackback fishery should have been opened July 1 instead of mid-August to allow fishermen to fish proper depths for cod on proper fishing grounds.

Right now, it is my belief that there is enough cod for commercial fishermen to have an 8,000- or 10,000-pound quota per licence. If this does not happen, the cod bycatch will shut down every other fishery along the east coast of Newfoundland. If you are directed turbot as a species and you go out and have a couple thousand pounds of cod and 10,000 pounds of turbot, then the observer on board will make you move your gear or close the industry on you. This can’t continue.

In the meantime, the government cannot expect the inshore cod stocks to replenish the offshore stocks while the trawlers are still out there raking the bottom and there is nowhere for the fish to go.

There can be a viable commercial cod fishery for the inshore fishermen with limitations placed on trawlers and severe consequences for overfishing and the disregard of Canadian laws. There

must be a balance between the various species to allow for a viable maintaining of all species, not just cod.

Thank you, sir.

• (1125)

**The Acting Chair (Mr. Bill Matthews):** Thank you very much for your presentation, Mr. Blackwood.

We’ll now go to our round of questioning, beginning with Mr. Keddy.

**Mr. Gerald Keddy:** Thank you, Mr. Matthews.

Thank you, Mr. Blackwood, for appearing here.

I have half a dozen questions, but my first one is this. When you said you set five lines of trawl...

**Mr. Don Blackwood:** That’s 250 hooks.

**Mr. Gerald Keddy:** So it is 250 hooks. We would run 200 hooks per tub in Nova Scotia.

You had a fish on every one?

**Mr. Don Blackwood:** You could feel it. As you drew in your trawl and were taking off, there they were behind you. That’s the first time in my life, the very first time.

**Mr. Gerald Keddy:** Wow. That’s 1,250 codfish.

**Mr. Don Blackwood:** No, it was 250 codfish.

**Mr. Gerald Keddy:** That was on one set.

**Mr. Don Blackwood:** Yes, in two hours.

**Mr. Gerald Keddy:** How many hooks are there altogether on a line of trawl?

**Mr. Don Blackwood:** There are 50.

**Mr. Gerald Keddy:** We have 200 per tub at home. All right. Thank you. That’s what I was trying to figure out.

If we had a limited commercial fishery, would you also support a limited recreational fishery?

**Mr. Don Blackwood:** Yes, but at the same time, if we had a limited commercial fishery, half the recreational fishery after it now wouldn’t need it, because the guy who lives up the street would look up and say, “How about tomorrow morning you throw one on the wharf for me?”

**Mr. Gerald Keddy:** That’s kind of what we’ve been hearing from a number of our witnesses.

**Mr. Don Blackwood:** That has happened right down through the years. Someone would come onto the wharf and say, “Throw out one for me. I want one for dinner.” That would take care of some of the situation.

**Mr. Gerald Keddy:** Sure. It would take care of a fair amount of it.

The other question I have is on the relationship between yourself as a commercial fisherman and science. Without question, there is certainly a disconnect between science and the commercial fishermen, and I hear that reflected in opinions on politics and on government and on DFO, who eventually make recommendations to the minister and the minister brings those recommendations into law.

How much of that do you think is the problem with very dramatic and serious cuts in DFO science over the last decade, when we probably needed an increase in the science, not a decrease?

**Mr. Don Blackwood:** It's obvious that you need an increase in science. I'm not going to agree with everything the scientists say, and the scientists are certainly not going to agree with everything I say. I can only use examples. For instance, back when we opened up the bay stocks for crab, I fished on a longliner at that time, and I think there were probably 20 or 25 licences in the bay, the 45-foot fleet, at that time. We fished for a day and a half and they shut down the season on us, so we went to St. John's with Dave Taylor at the time for a meeting to see if we could get another extension on it, and at that time Dave Taylor looked up and said, "The crab stocks on Bonavista Bay cannot sustain another day's fishing".

Since that time, since the 25 licences, we now have around 250 licences in Bonavista Bay of inshore crab fishermen. We are all taking 12,500 or 13,500 pounds, I'm not sure which, out every single year for the past three or four years. Our stocks are as good today as they were three or four years ago. No doubt there was more soft shell on the go this year, but the actual amount of crab that was there itself is just as good. The year before last, I made nine trips to get my quota. This summer I made three. My partner made eleven the year before last. This year he made six.

Our scientists were telling us that it wasn't there, but it is there.

• (1130)

**Mr. Gerald Keddy:** I'm not trying to be the defender of science, but I certainly recognize the importance of a cooperative approach between the industry and science, because that's the information that eventually gets to the hierarchy of DFO and eventually gets to the political masters of DFO, who make the final decision. So was that based on bad science or was it based on incomplete science or was it based on the fact that we have a science branch of DFO that's not financed, that's not organized any more, that only represents a portion of the individuals who were there less than a decade ago?

**Mr. Don Blackwood:** To me, at that time it was just a control thing. At that time I just thought that they actually wanted to control us, to announce that this is what you're getting, and this is it.

**Mr. Gerald Keddy:** I have another question, and I asked Mr. Penney, who was the witness before you, the same question privately.

Before politics I was a logger and a farmer, and I can tell you as a farmer we always had difficulty dealing with government. We couldn't get enough scientific information. We couldn't get anything from government unless we had scientific information to back up what we were saying. So we ended up, certainly in the Christmas tree industry, bankrolling a lot of our own science. We cost-shared it with the provincial government and with the federal government, with whoever would come on board, and then we had real hard data to go back to government with. We started out fairly modestly, with maybe a \$10,000 or \$15,000 summer student, and we built ourselves up from there to where we were spending \$50,000 or \$60,000 on different projects. Simply because it wasn't done in the past, is that out of the question today? Whatever you go to government with, you have to have the hard data to back it up. And it's easy for government to say that based on science they're going to turn you down, even

though they're not bankrolling the scientists to begin with to give you the proper data.

**Mr. Don Blackwood:** The science is there. It's on your log sheets, it's on your monitor sheet, and it's on your observer report. So that's first-hand. That's as good as a scientist in the boat. That's what those guys are there for.

I can throw out a net tonight, and tomorrow morning, out of two nets, I've got 1100 pounds of cod. How much more science do you want? I can't get on the bottom and see what's actually there. That's data that's there upfront. When I come in, there's the monitor and he signs off on it, and an observer was out with me and he signs off on it. Those are actual facts. I had an observer for two trips this year, and I never had a problem with the man, during the cod season and during the crab season.

**Mr. Gerald Keddy:** And that observer is someone trained with a scientific background, or just simply an observer?

**Mr. Don Blackwood:** He's an observer from DFO. I guess they work with the science branch of DFO for their studies on stocks and everything else.

**Mr. Gerald Keddy:** Based on that, I would expect DFO is getting the correct information now, then, assuming everything you've said is correct, and therefore they should understand, in the same way I think the committee is coming to understand, that there are enough cod stocks out there to support a limited commercial fishery and probably a limited recreational fishery.

• (1135)

**Mr. Don Blackwood:** That's why, I think, this year when DFO changed the mesh size from six and a half to five and a half they limited us to 15 fathoms of water.

What do we want to find out? Do we want to find out how much cod is in 15 fathoms of water? We certainly don't want to find out how much blackback is there. Why use five-and-a-half-inch gear if you can't sell the blackback that's in it? It's too small to sell. So really, you put in blackback nets, but direct them for cod, in 15 fathoms of water. There's no other way to look at it.

**Mr. Gerald Keddy:** So it's a sentinel fishery without being a sentinel fishery.

**Mr. Don Blackwood:** It's a sentinel fishery without being a sentinel fishery, and there are sentinel fishermen who are told, "Put your gear on this position and this position and this position." In our bay, you don't put your gillnets in 80 fathoms of water to catch cod. You catch them in 20 to 40 fathoms of water or you go from 120 down to 150 fathoms.

**Mr. Gerald Keddy:** That's interesting, because we certainly have the same types of sentinel fisheries off the southwest coast of Nova Scotia. They'll go out at the time of year when the fish are never there, on a bank that traditionally never caught that species, and that's your sentinel fishery. Then they say, "Well, there are no fish."

**Mr. Don Blackwood:** And that's not true facts. It's like being limited with the blackback fishery of the year. The actual cod grounds are not handy to where you put your blackback nets, and we're still finding cod there.

**Mr. Gerald Keddy:** Exactly. That would lead you to believe there is a lot more cod than that on your traditional cod grounds.

**Mr. Don Blackwood:** On the traditional grounds; that's right, sir.

**Mr. Gerald Keddy:** It would only make sense.

**The Acting Chair (Mr. Bill Matthews):** Okay, gentlemen, I think we're going to have to hold it there and move to our next questioner, Monsieur Blais.

[Translation]

**Mr. Raynald Blais:** Thank you very much.

Good morning, Mr. Blackwood, and thank you for travelling here in order to appear before us today. I'd like to begin by getting to know you a little better.

Do you also belong to a fishers' association? If so, which one?

[English]

**Mr. Don Blackwood:** Yes, I'm a member of the FFAW.

[Translation]

**Mr. Raynald Blais:** Have you also noticed seals?

[English]

**Mr. Don Blackwood:** Yes, but I'm limited to the bay, like Mr. Penney. We fish inshore within the bay limits, out to about 20 miles offshore. There are lots of seals, lots of them.

[Translation]

**Mr. Raynald Blais:** Could you describe this phenomenon further? When did you start noticing it and has it become more significant?

[English]

**Mr. Don Blackwood:** The number of seals has grown, yes. First, when we started fishing in the outer bays you would see one or two sometimes. Now, when you're fishing crab, there are days when you're coming across hundreds and thousands of the old harps just sculling together. And in the spring of the year when you're out fishing for terns and ducks or whatever, if there is a pan of ice, there is a seal on it and a codfish alongside with the belly eaten out of it. That's all they take; they take the belly and leave the rest.

[Translation]

**Mr. Raynald Blais:** You've noticed more harp seals as opposed to hooded seals, am I right?

[English]

**Mr. Don Blackwood:** Yes, it's more harp.

[Translation]

**Mr. Raynald Blais:** If the cod fishery were re-opened, what type of monitoring system would prevent abuse on the part of fishers?

[English]

**Mr. Don Blackwood:** You are controlled by the amount of gear you can use. Each fisherman must be responsible for what he does himself. The observer coverage is certainly one of them. Usually in our community, every single fisherman there, at one point during the industry, must take the observer for at least one trip. Some guys are taking them for two or three trips.

But as a rule we're all responsible. I'm not prepared to let the guy next door get away with destroying something that I need next year

and the next year and the next year. It's not going to happen any more. We just can't allow it to continue. There is too much at stake.

[Translation]

**Mr. Raynald Blais:** Given the history of cod and the degree of responsibility on the part of fishers, do you think that this will ensure responsible use of this resource on the part of fishers?

[English]

**Mr. Don Blackwood:** I think the fishermen are more responsible now than we were 20 or 25 years ago, certainly a lot more responsible. Years ago when we fished cod traps, the small fish we would just throw away, let it float away, tons and tons of it, but you certainly wouldn't do that any more. It's just not the way to go any more.

We spoke about hook-and-line fishery and gillnet fishery. When we used hook-and-line fishery, we had to go seven or eight miles in order to catch it. Right outside of our harbour, we can't use hook and line, because the water is too deep.

Whether you use hook and line, whether you use gillnet, or whatever you use, if you put it out, take it off. You have to be responsible for what you do.

● (1140)

[Translation]

**Mr. Raynald Blais:** You've described something new to us, that is, cod hanging off every hook. Have other fishers mentioned this to you or is this an exceptional situation?

[English]

**Mr. Don Blackwood:** No, that particular year, every fisherman where I live found the same experience. There were thousands of them. Wherever the bait is to, that's where the fish is at. They've got tails, and there's a big ocean out there.

Back in 1980, when we fished on longliners, Bonavista Bay was full of turbot, literally knee-deep in turbot—a thousand pounds a net from the middle of June right to the middle of November, when we gave it up. It was just as thick when we gave it up as when we started. The next year, neither one. Where did it all go? It wasn't caught; there was no one at it in the winter. The next year, it never came back. So that followed its course somewhere around the bay or somewhere around the ocean, and even back to this year, it seemed like there was a fair bit of turbot on the go outside in the deep water again.

So everything has its cycle, especially in the inshore stocks. You see it in squid, in herring, and in mackerel.

We've seen mackerel this year. That's the first time in about 15 years that we've actually seen any significant signs of mackerel. So I think most of it just runs in cycles.

[Translation]

**Mr. Raynald Blais:** This year you noted massive amounts of cod. What has the situation been in the past, since 2000, for example?



[English]

**Mr. Don Blackwood:** I think a lot of it is just cycles, just a cycle that it runs around in.

[Translation]

**Mr. Raynald Blais:** As in the case of crab?

[English]

**Mr. Don Blackwood:** Basically, like the crab. It's the same thing. Even with the crab now, we're doing some selective fishing that we shouldn't be doing, or some fishermen are doing selective fishing that they shouldn't. Legally, we can sell the crab that's over three and three-quarters of an inch. If you bring in all four-inch crab, you get more money under here. A lot of fishermen are not at it, but some are still, and if it continues, our crab will run the same way as the cod runs. You're going to destroy it.

When it comes aboard that boat, if it's of legal size, take it. Don't pick this one and throw away that one. If it's of legal size, then take it and bring it in, and not bring in all four-inch because I'm going to get a better price. But that's the way it works.

[Translation]

**Mr. Raynald Blais:** What do you think of foreign overfishing and cod stocks? Is that the main reason for the decline in this resource and are seals also one of the factors involved?

[English]

**Mr. Don Blackwood:** Regarding the offshore stocks, it was not only foreign overfishing but our own overfishing as well, back years ago, our selective fishing of cod, of opening up the floodgates and letting all the small out and only keeping the steakers. Yes, we destroyed it, as well as the foreigners. It was not only the foreigners; it was our companies that said, "Boys, when you come in this time, I want 80% large." So you know what happened to the small: it went out through the floodgates. It just couldn't sustain it.

There's not enough left at the bottom out there. The bottom has been raked over and raked over and raked over. Most of it is as clean as that floor. So why would you go on that floor to look for bait if there's nothing there?

Our trawlers are still doing the same thing out there now. Our inshore stocks will never, ever replenish our offshore stocks, because as fast as it swims out, someone is out there taking it off.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much for that. We have to stop it right there, Mr. Blais.

We now move to Mr. Stoffer, please.

**Mr. Peter Stoffer:** Thank you, Mr. Chairman.

Thank you, sir, for your presentation.

Earlier you said that in your opinion commercial fishermen should be allowed about 8,000 to 10,000 pounds of a limited commercial fishery. If Mr. Penney is correct and we have over 7,000 fishermen, and what Mr. Murphy said about 50,000 tonnes on the inshore is correct according to DFO science, what you're asking for is that all the fish be caught. If DFO's numbers are right and if your numbers are right, you're both basically saying that all the commercial fishermen should be allowed to catch literally all the fish in the bay.

There's obviously a mix-up here somewhere. We heard yesterday some anecdotal evidence that DFO numbers were wrong, that they anticipate the stock to be double or triple the size of what DFO is saying. I just cannot see how educated people within the department can make that big mistake. I'm wondering, how do we square the circle? If DFO is saying there are 50,000 tonnes within the inshore and fishermen are saying, whoa, that's wrong, it's much greater than that—you said the Hutchings and Myers report was manipulated, according to them—I'm going to sound nasty here, but do you think DFO science is being manipulated? I don't see how they can get it so wrong, if what they're saying is they're right.

● (1145)

**Mr. Don Blackwood:** I don't think DFO science is always getting the actual facts. It's like the sentinel fishery. If they're restricted to putting their gear in certain areas, then how can I get the actual facts of what's actually on the cod grounds? There are grounds for cod, there are places where you'll shoot gear for cod, there are places you will shoot gear for turbot, and there are places you put out gear for crab. But the gear has to go on those actual grounds and be fished at correct times in order to get cod out of it. We'll get fish in the spring of the year when they're chasing the herring, and then the cod will go until it comes back with the capelin. It's no good to put cod nets out in May or early June, because there's none there. Why open the sentinel fishery for cod in June if there's none there?

**Mr. Peter Stoffer:** But the scientists would know that, wouldn't they?

**Mr. Don Blackwood:** This is what they're doing.

**Mr. Peter Stoffer:** I'm questioning why they would be doing that. If you were a scientist who wanted correct and accurate information, wouldn't you rely on fishermen and people of that nature in order to ascertain...? They must have the historical records of when the best time to catch is, where, and what gear type. I can't see it, unless it's a deliberate attempt to manipulate the information, or they just have absolutely no budget and they're doing something just to say they did it. There has to be a reason.

**Mr. Don Blackwood:** It's always easy to lay blame on someone else. It's like the blackback this year. It's out in 10 to 15 fathoms of water and you're going to pick up 1,000 or 1,100 pounds of cod out of six nets? I never heard tell of it. If you had that net in 20 to 30 fathoms of water, you might have had 10,000 pounds of cod in six nets. It's possible, but you don't know because you couldn't get there to actually see it.

**Mr. Peter Stoffer:** You had said with gillnets you caught your quota in two days, and when you used hook and line for the first time you had a fish on every hook. You said you caught your quota in two days with gillnets. How long would it take you to catch your quota with hook and line?

**Mr. Don Blackwood:** It would still be a couple of days, because we could only bring about a couple of thousand pounds in the boat anyway. We're only fishing in a speed boat, so you're restricted to the amount you can bring in. It's like the blackback fishery.

Where we live, there's no bottom; it's all deep water. So we have to go about seven miles before we get 10 or 15 fathoms of water, to get any room to put gear down. For blackback, they limited us to going to what we call Offer Gooseberry Island. Then they tell you that you can only bring in up to 300 pounds of cod. You're allowed to bring in up to 1,600 pounds of dressed cod, but you can only bring in 300 pounds a day. I have to steam seven miles out and seven miles back to bring in \$120 worth of fish, when I could have brought it back all at one time. It's the restrictions that DFO has on some of those fisheries that are going to ruin us.

It's the same thing with the turbot fishery this year. If you overweight the turbot nets and you have more than 10% cod, either you dump it, if the observer isn't aboard, and continue fishing for turbot, or if the observer is aboard, you take your gear up and you shift it.

No one who's fishing for turbot is going to direct for cod. The first thing is you're shooting your gear into 160, 170, or 180 fathoms of water. There's not usually a lot of cod there. Sometimes there is cod running off the edge of the ground and it gets entangled with it. If you're fishing for turbot, and that's the main species you're looking for, you might have 5,000 or 6,000 pounds in your fleet of gear and you might get 1,000 pounds of cod. You have the turbot you were looking for, but you still have to shift it out of it because the cod was there. You'll never have another fishery.

• (1150)

**The Acting Chair (Mr. Bill Matthews):** Thank you very much.

We have to shift now to Mr. Simms, please.

**Mr. Scott Simms:** You said at one point, and I forget the years, that you were knee deep in turbot.

**Mr. Don Blackwood:** It was 1980.

**Mr. Scott Simms:** And you said a year later it was close to being gone.

**Mr. Don Blackwood:** Yes, gone. It went from 1,000 pounds a net... I believe the actual date it showed up in the bay was June 14, and it was like that right up to 9 nets, 10 nets, 15 nets. Plants would only allow us to bring in 9,000 pounds a day.

**Mr. Scott Simms:** And I gather you haven't seen anything like that since.

**Mr. Don Blackwood:** In the next year there might have been days where you'd have gotten 3,000 or 4,000 pounds altogether. There's been nothing like it since.

**Mr. Scott Simms:** Right after that you talked about the cycle. It was a cycle that you were into, and you didn't blame it on any mispractices or anything of the sort. You just said it was basically a cycle. With the situation we have today, is this the upswing of a cycle we're into with the cod and we're missing out on it? Would that be a fair assessment?

**Mr. Don Blackwood:** I think that some of it is a cycle. Some is the bait, the way the bait works in the bay and where the bait is set in the bay, and the capelin stocks and the herring stocks and everything else. Everything depends on this bait fish to survive, cod included.

Most of the bait this year was anywhere from the middle part of the bay to Bonavista. There was no capelin fishery on our side of the

bay whatsoever. We got a day out of it. There were no worthwhile capelin stocks around. Anywhere from the mid-bay to Bonavista, there were thousands. And that's where the cod was, anywhere from mid-bay to Bonavista.

**Mr. Scott Simms:** You also mentioned, with all this cod, just how destructive it has been for the other species you fish. We've heard it now for the past two days that cod is showing up in every pot and every net that's on the move. Do you think the limited commercial fishery is going to help you out with your other species as well?

**Mr. Don Blackwood:** Yes, because it gives you a little chance to move around, a little chance to get more out of it. If you throw out nets for turbot, and you're allowed up to, say, 5,000 pounds of cod, and you come in this time and you have 400 pounds of cod, you know you don't have to take it up and move it. The turbot is there, or whichever species you're directing for. You don't have to be shifting gear all the time.

It seems as if all the fisheries you're doing there are all test fisheries to see how much cod is there, or if it's on crab, I can stay there, and if it's on cod, I can't stay there. Your mind is just rattled wondering where to go with it.

**Mr. Scott Simms:** In the stock assessments we talked about this morning, they do talk about the drastic low levels, only a couple of percent of what they were in the 1980s, which is based primarily on what the offshore stock holds. You did mention in your speech about how you don't see the linkage between the inshore and the offshore stock, because in some cases when they attempt to go offshore, they're swept up. Is that correct?

In St. John's, we're going to hear evidence, most likely, supporting that stock assessment, so before we get there, tell me how wrong they are.

**Mr. Don Blackwood:** My belief is that there are more fish inshore now than there were 15 or 20 years ago. Back in my 25 years of fishing, when I first started, we would fish 20, 25, 30, and sometimes 50 nets for cod. There would be days when we'd have 200 pounds; there would be days when we'd have 1,500 pounds, depending on where it was at and where it was swimming. I know now that if I threw out nets today and I threw out 50 nets, tomorrow when I haul them, I would have 10,000 or 12,000 pounds of cod, no mistake.

• (1155)

**Mr. Scott Simms:** A fisherman in Bonavista once told me—he wasn't a witness—if we have to rely on the inshore stock to supply the offshore stock, to replenish it, we will never, ever, have an inshore fishery again. Do you agree with that?

**Mr. Don Blackwood:** We will be in the ground with our toes stuck in the air for a long time before it recovers.

**Mr. Scott Simms:** Thank you.

**The Acting Chair (Mr. Bill Matthews):** Mr. Murphy.

**Hon. Shawn Murphy:** To follow up on that question—and I certainly appreciate your testimony here today, and I thank you for coming in. The mandate of this study is the cod stock. We've talked a lot about the inshore and we've analyzed it.

Dealing with the offshore—and I appreciate that you're not an offshore fisherman—what will bring the cod back in the offshore?

**Mr. Don Blackwood:** A long time and no one there. Years ago, when they fished the Banks, it was all hook and line; the bottom was left the same way it was when they went there, when the schooners left the Banks. If I sweep over the floor today, tomorrow there's another boat coming behind me sweeping over the same floor. You'll find the same thing even now with shrimp draggers dragging over crab stock ground. Give it some time and the same thing is going to happen. It might not be today or next week, but the same thing will happen.

**Hon. Shawn Murphy:** Dealing with this disconnect between science and the fishing industry, have you read the most recent report? It's probably outdated because what was on the ground or in the sea this summer is not reflected in the most recent report, which I think is May 2005. Have you seen this report?

**Mr. Don Blackwood:** No.

**Hon. Shawn Murphy:** It confirms a lot of what you're saying. They seem to suggest a separate stock inshore-offshore, and that the inshore is considerably more healthy than the offshore.

My question to you is, if I'm following what you are saying, you want a commercial fishery for all core licence holders, and you would also support a food fishery. Mr. Stoffer did the numbers, and it would seem to be fairly significant, in my estimation. Then you put a food fishery on top of that. And again, this is anecdotal, but somebody in DFO said when they had this back three or four years ago and they issued the tags—it was actually 90,000 licences issued in Newfoundland here for the food fishery. For the life of me, I can't see how it would be totally controlled. There are always going to be people who want to push the envelope and do things they're not supposed to. But if you package all that together, your vision of a commercial fishery and the food fishery, aren't we going at this a little too aggressively?

**Mr. Don Blackwood:** When you were talking about buying tags a few years ago, half of those 90,000 tags were bought by commercial fishermen because that was the only way we could get one, when we had no cod fish whatsoever. A lot of those recreational guys I think just want the opportunity to catch one if they're out in their boat, not to go and have a free-for-all for what's out there. Most guys, if they're out to their cabin and they want one, fine. A lot of the guys, if there was a commercial fishery opened up, wouldn't even be out there, because when they come in they'd say, "Don, bring me one for supper, will you?" or "I'll buy one for supper". We're Newfoundlanders, and not having the opportunity to do so strikes you right here, when you can go across the gulf and the guy over there can catch what he wants, in the same water.

**The Acting Chair (Mr. Bill Matthews):** With about a minute left, maybe I could just take the liberty of asking a question.

You mentioned the bay stock of cod, that if it left the bay, I believe you said—and maybe I heard you wrong—it would just be swept up.

**Mr. Don Blackwood:** I think after a time it will be swept up, yes.

**The Acting Chair (Mr. Bill Matthews):** But you're not talking now. There would be nothing to sweep it up now, I guess.

**Mr. Don Blackwood:** It depends on how many boats we've got out there. I mean, going back years ago, I actually saw trawlers, which you can see in the nighttime—

**The Acting Chair (Mr. Bill Matthews):** Yes, but we don't have that now. That's my point.

• (1200)

**Mr. Don Blackwood:** No. It may sustain for a while, but as it gets farther offshore, someone is going to be out there taking it. We've still got trawlers out there catching fish.

**The Acting Chair (Mr. Bill Matthews):** Yes, we do, but they're not supposed to be catching very much.

**Mr. Don Blackwood:** Not supposed to be, but one was on the TV the other night, and he had 80% cod and 10% of what he was looking for.

**The Acting Chair (Mr. Bill Matthews):** One of our boats?

**Mr. Don Blackwood:** I'm not sure which boat it was, because I never caught the message; my wife told me about it. But he had 80% cod and 10% of what he was actually fishing for. Does that tell you something?

**The Acting Chair (Mr. Bill Matthews):** I just wondered, because most of us are of the impression that with offshore, say, there'd be very little northern cod caught offshore. So when you talked about the cod leaving the bay to be caught outside, that's why I wondered really what you were talking about. I just wanted to ask you about that.

We'll go to our next round of questioning. Do we have time for five minutes each? Perhaps if we try to make it as short as we can, we can get through this within a reasonable time.

Mr. Hearn, please.

**Mr. Loyola Hearn:** Mr. Chair, I'll just make an observation and then ask a general question.

The observation is on the introductory remarks, Don. We agree totally. I think you're aware of the committee's efforts on overfishing. We've been at it now for four years this month. We've had at least international attention. Any success? Very little. There's extra surveillance out there, with the odd citation. Like a warning ticket on the highway, it means frig-all. But with the attention that's being paid and with increased pressure, I think it will become part of the bigger picture. You're dead on with what's happening.

With regard to your comments on the politicians, and on Crosbie, we totally agree. I was in the room that night when the announcement was made, in with the fishermen. During the lead-up to that, I remember clearly that in the preceding years, when there was talk of quota reductions, there was also an outcry from the fishermen, that you can't reduce our catch. So I think we're all to blame. The night the announcement was made, I don't think the people who were knocking on the door were trying to get in to say, "Thank you, Mr. Crosbie"; they were trying to lynch him.

So I think we've come a long way. I think you're seeing different fishermen today, and you're one of them. You're much more conscious of what's going on. In the old days you talked about knocking off the small fish and throwing them overboard. I remember looking out through the window, and you could walk across our harbour on small fish, or you could bring in 70,000 pounds of cod and try to split it on an August afternoon. So we've come a long way.

However, right now it seems we're limited to bay stocks. I live on the southern shore, and I fished there all my life, in my younger days, in my high school, university, teaching years. I taught in Trepassey, and I drove from Renewes to Trepassey, bypassing Renewes Rocks and off towards Cape Ballard Bank, to prime fishing grounds. One morning I counted 127 boats fishing in that area, hand-line trawls, jigging. There's not a fish on those grounds today. They have come back here, but they haven't come back there, because a few years ago they started scallop fishing. The grounds, they tell me, are just raked over completely, which, again, basically proves what you're saying about the theory of dragging.

But coming back to the localized bay stocks, we were probably beneficiaries because it's straight coast for the Grand Bank stock, with the northern cod stock moving down. We're not seeing those any more. They're gone. The bay stocks are building, but if we put extra pressure on those localized bay stocks, without knowing the facts and figures, aren't we taking a chance? Isn't it time that we really focused on proper assessments, using your knowledge combined with scientific knowledge, so that we know how much we can take, to make sure we not only preserve what we have but increase it somewhat?

I think somebody made it clear this morning, and we sort of jumped on it, that the day of the big cod stocks may be gone, but do we really want it any more if it's going to destroy maybe our crab fishery and your lobster? Isn't it time we looked at an overall balance? Shouldn't we have a lot more science, combined with, as you say, your knowledge? Your knowledge is excellent, but it's absolutely not good if somebody doesn't put them both together.

So there's this new generation of fishermen. Don't you think we should be able to know what we're doing before we do it?

**Mr. Don Blackwood:** Yes, we should certainly know what we're doing before we do it when it pertains to cod and every other species we catch. I'm not going to let the crab stocks in Bonavista Bay be destroyed if I can avoid it. I'd rather take a cut in quota any time, and as a matter of fact, we're talking about it now, even this year coming up, and a few fishermen spoke about it last year.

We have what's called an inner bay and an outer bay. Our outer bay is only about half the size of the inner bay, and there are a lot more licences out there. It is better for us as fishermen to open up the whole bay, and the guys who are fishing in the outer bay have more of a quota because of where it is. We get another 2,500 pounds. It's better for us to lose 1,000 pounds on the outer bay and the inner bay guys gain 1,000 pounds and open up the whole bay. Instead of that, there are areas in the bay now that are not touched at all because the guys who are in the inner bay are running the rocks, basically, and you've got all this room now, from a half mile or a mile offshore to ten miles, where there's a lot of crab, but there's nobody there. So the

stocks are in the thousands there, but in the meantime, just over the line, both inside and outside, this is where it's all being caught.

• (1205)

**The Acting Chair (Mr. Bill Matthews):** Thank you.

Mr. Blais, please.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Chairman.

Mr. Blackwood, I would like you to comment on scientific opinions. I would like you to tell me how much faith you put in scientific opinions and why you seem to have so little. First, what do you think of current scientific opinions?

[English]

**Mr. Don Blackwood:** I think the scientists get their opinion from what they actually see themselves and the information that's gathered and that's given them. It's like the sentinel fishery; if that's all the information they can get, then they're giving me accurate information on what they got. If they don't come to me looking for information or go to my log book looking for information, if they're just trusting their sentinel fisheries, then that's all the information they can give me. What they're giving me as far as they are concerned is true and accurate, although I may know different. It's no good for me to fight with them, because that's all the information they have. That's why I'm here today. Trying to fight with everybody else because you know a little more or you think you know a little more than what the actual scientific information is... and I trust the scientists as much as I trust you. Why not? Those guys need a—

**The Acting Chair (Mr. Bill Matthews):** I don't think we want to go there today.

[Translation]

**Mr. Raynald Blais:** I assume you're saying that from the group's perspective as well.

Given what you have just stated, I would guess that you are relatively open to the idea of collaborating with scientists.

[English]

**Mr. Don Blackwood:** Oh yes, definitely.

[Translation]

**Mr. Raynald Blais:** Your main concern—and I share that concern—is that scientists have access to more data, first, and that second, they work with you, the fishers.

[English]

**Mr. Don Blackwood:** I think you're exactly right. I think most of the scientists' information should be coming directly from us. They do their own studies, but if they don't take our word for it and our information out of our log books and our observer reports, then all is vanity. We have no say in it at all then. They have to come to the fishermen and the fishing industry to get some information to complete their records. It has to be a two-way thing. It just can't be all one-sided. If it's all left our way, after a time we'll destroy it again, and when I say "we", I mean everybody.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Blackwood.

[English]

**The Acting Chair (Mr. Bill Matthews):** Thank you, Mr. Blais.

Mr. Stoffer, please.

**Mr. Peter Stoffer:** Thank you.

You said you had observers on board your boat. What happens to those reports?

**Mr. Don Blackwood:** I don't know if they actually go to the scientists or if they just go to the company they're working for.

**Mr. Peter Stoffer:** Okay. You indicated you have an observer on board to monitor your activities, because obviously DFO wants to know what you're doing. They write a report. I assume, or at least I've been led to believe, these reports go back to DFO.

**Mr. Don Blackwood:** I think they go to DFO, but I'm not sure. You stretch stuff out. This year, in certain areas of the bay there was soft-shell. That soft-shell is there now; it's there in the middle of January; it's there in the middle of June. That's where it goes to moult, and there's nothing you can do about it. The observers knew it was there, but they waited until everybody had 95% of their quota caught before they decided to shut down that one area of the bay.

• (1210)

**Mr. Peter Stoffer:** The reason I'm asking is I'm of the assumption that observer reports go to DFO. DFO, I assume, gives this information to their scientists—I can only assume that—and they would use that information, as well as what they're also doing. But obviously it may not happen.

My question for you is, if you support a limited commercial fishery, as we've heard already, and if that's all DFO would allow—no food fishery or recreational, but just a limited commercial fishery—how long then would the food or recreational people have to wait until they had an opportunity to, as you say, go catch a cod by the cabin? Would it be based on stock assessments? Would it be a year, or two years? I'm looking at the politics of it. If there are 7,000 enterprises, compared with, say, as we've heard, 90,000 possible licences to give out, what would the politics of it be? What would you do?

**Mr. Don Blackwood:** You have the politics on the other side of it as well. This year, when they opened up the blackback fishery, as far as every person in Newfoundland who wants a recreational licence is concerned, they opened up the blackback fishery just so that commercial fishermen could catch a little bit of cod—just for the purpose of DFO finding out how much cod was there.

That's only my personal opinion.

**Mr. Peter Stoffer:** Okay.

Here is my last question for you. We heard Mr. Penney say it's up to the individual fisherman to be responsible, in terms of gear type. Yesterday we heard unequivocally that if you're going to do a limited commercial fishery, it has to be hook and line. Would you support or would you accept a hook-and-line fishery, if DFO were of the assumption that hook and line was the most sustainable method of fishing? Is that something you and the fishermen you associate with would agree with, or would you say, let us use whatever method we think is best and we'll try to be as well behaved as possible?

**Mr. Don Blackwood:** I wouldn't support just an open line fishery, no. It would have to be a combination fishery of gillnets and open line.

**Mr. Peter Stoffer:** Why is that?

**Mr. Don Blackwood:** The first thing is, in our area there's not enough room for open line.

**Mr. Peter Stoffer:** Not enough room?

**Mr. Don Blackwood:** There's not enough bottom. When you come out of our harbour, you go a quarter of a mile and, poof, you're in 200 fathoms. We have to go seven or eight miles to find any sustainable ground for hook and line or for net fishing. Lots of times with nets we shoot them over the edge of the ground, and we get a few just going over the edge of the ground. A lot of hooks and lines there would take up that whole edge of ground, and there'd be no one else getting there.

Each individual fisherman must be responsible for what they do. If I put out a lump net tomorrow and I lose it, I can guarantee you the next day I'm going to have it back, because I'll scrape the bottom until I find it, if it's not there where I put it. If a whale takes it and carries it away, there's not much you can do about that, but if you just lost the buoy from it, in most cases that net is right where you dropped it, and you'll scrape it. We do it all the time.

**Mr. Peter Stoffer:** Which leads to our point, that in 1998-99 when we did the east coast report, we heard stories of literally thousands of what are called ghost nets out there fishing. Yesterday we heard from people saying ghost nets really aren't the problem everyone leads you to believe, which throws our report in our faces a little bit. We heard thousands of ghost nets—these gillnets and other nets—fish continuously.

Do you agree with that? Are they the problem we've heard, or not?

**Mr. Don Blackwood:** In certain places they are. No doubt you were up around Nova Scotia and Cape Breton, where the lobsters are in the thousands and ghost nets are going to clean up some of those lobsters. Up our way, in most cases if a gillnet is left on the bottom, next year if you roll it back you just roll it up like a piece of rope. You can take it all in your hand at one time. It's all grown together, overgrown with seaweed or what have you. It's not always the case that they catch thousands and thousands of fish. They will for a little bit, but in most cases they'll roll up, and that type of thing.

•(1215)

**The Acting Chair (Mr. Bill Matthews):** As you're saying, they are destructive, but maybe not as destructive as the committee was led to believe in previous years. I guess that's basically what you're saying. I don't mean to interject as chair, but I would just say that.

Before I recognize my good friend Mr. Simms, I can see the math being done here this morning. We've heard 5,000 or 8,000 pounds per fisherman and how many fishermen or how many enterprises there are. As a committee, I think we clearly need to determine how many fishing enterprises would partake in a limited commercial fishery if there was one in the northern cod zones.

We all need to remember that there is a commercial fishery in 3Ps and in 4R and 3Pn. So whether the figures we've heard—7,000 or 8,000 enterprises—include those people, if we take them out, then I guess the math gets a little more favourable. We need to determine, very accurately, how many there would be when we start doing the real math on this. I just say that as a side comment to my colleagues and to the people who have been listening.

**Mr. Don Blackwood:** Right now, our fishery is basically lumpfish and crab. This year, for crab alone, I am down \$13,000 from what I made last year; \$13,000 means a lot.

We're not all millionaires. I'm driving a 1994 Dodge Dakota, which I use for banging around in.

**The Acting Chair (Mr. Bill Matthews):** I appreciate it. I made my comment because we need to get that number determined for the committee before we get into our recommendations. I just made that as chair.

Mr. Simms.

**Mr. Scott Simms:** Thank you, Mr. Chair. Thank you for recognizing me as your good friend.

I just have a quick question. We keep talking about 5,000 to 8,000 pounds individual, but what is the total allowable? In my opinion, the 5,000-tonne mark has been used. In your opinion, what do you think the total catch is? I think you said there are upwards of 8,000 pounds per fisherman. When we look at the total catch in the 2J, 3K, and 3L areas, what—

**Mr. Don Blackwood:** I just used 8,000 as a figure; 5,000 may be fine too. After all the blackback bycatch this year, there must be some figure of what cod is actually in my particular bay—the same thing in Trinity Bay.

It's like the DFO and the DFO restrictions. If they're going to give me 5,000 pounds of cod to catch, then give it to me and let me catch it at the time the cod is there; don't wait and say at the end of August that I can put out my gillnets. There's no good in putting out gillnets at the end of August; it's time to go trawling then. They restrict you as to when you can actually catch these things. It's like the lumpfish this year. Last year we had three weeks; this year we had two weeks.

**Mr. Scott Simms:** So the flexibility, which you do not have, is obviously essential.

**Mr. Don Blackwood:** It nips you.

**Mr. Scott Simms:** Let's switch gears for just a moment. We have talked in technical terms about the industry and the species and everything else.

You're from Greenspond. What has the area been like for, say, the past year, when it comes to the town itself and the people who have moved out? What have you noticed?

**Mr. Don Blackwood:** We are slowly becoming a retirement community—house by house. We are importing—American by American. That is what is going to happen over the next 10 or 20 years. Greenspond will always be there, but it will be retirement homes.

**Mr. Scott Simms:** When you say American by American, do you mean to say they're coming in to buy up properties?

**Mr. Don Blackwood:** Yes.

**The Acting Chair (Mr. Bill Matthews):** I have to stop you there, because if I don't, I'll remain good friends with Mr. Simms but I won't have another friend left on the committee. I'm sorry, but we're going to hold it there for now.

I want to thank you so very much, Mr. Blackwood, for coming in, for your excellent testimony, and for answering the questions the way you did for our committee. As I've said before, witnesses like yourself and the testimony you give is invaluable to this committee. I thank you so very much on behalf of the committee.

We're going to take a two-minute break to get ready for our next witness, Mr. Gary Monks.

Thank you for the opportunity, gentlemen.

•(1215)

(Pause)

•(1225)

**The Acting Chair (Mr. Bill Matthews):** Order. Members, let us take our places to hear our next witness, please.

I'd like to welcome to the committee as a witness Mr. Gary Monks, a commercial fisherman. I believe, Gary, it would be fair to say you are a commercial fisherman who goes west after the fishing season to make some of that good Alberta money and bring it back to Newfoundland.

With that, I'd like to welcome you to the committee hearings this morning. We appreciate your coming up from Bonavista. I know you were there yesterday, and we appreciate your coming up today to appear before the committee.

I understand you have an opening statement; I'd appreciate it if you would proceed.

**Mr. Gary Monks (Commercial Fisherman, As an Individual):** First of all, I'd like to thank you for having me here. I've been a fisherman for 33 to 34 years, since 1971, when I finished school.

I've got something here, but really I don't like to read from it because it comes better from the heart.

I've seen a lot of ups and downs in the fishery. I saw years when the cod totally failed. We had six cod traps and we didn't get enough for the winter. Now that is truthful. But American plaice—flounder, we called it then—was good and we got at that; we went at turbot and we went at other species, and we had a good year.

I used to start fishing the first of April, depending on ice conditions. I'd fish until Christmas eve, and then I'd give it up and spend January, February, and March preparing for the next year—getting cod traps mended, nets mended, lobster traps prepared, and everything else. It took three months to get it all done.

Now I've got basically a two-week fishery—three days this year of the crab fishery. I did pursue a little bit of lump and a few lobsters. I think July 27 I was playing golf. There was nothing else to do.

Then sometime in August you started up a turbot fishery. I finally got a permit to go at it. I was 24 miles off Cape Bonavista in a 30-foot boat. There was plenty of turbot, plenty of cod. When the observer was on board the boat you had to boil the kettle, tell him the kettle was boiled and it was time to get a cup of tea, and then slip a few overboard; if not, you'd be shot down. You had no other choice. It's cruel to say it, but that's what had to be done. That was at 24 miles. There were boats at 90 miles, boats at over 100 miles, and boats at 50 miles. Some fellows got shot down and some fellows were doing the same as the rest of us were doing, sneaking it overboard or whatever.

It's totally ridiculous that we can't have a commercial cod fishery and a recreational cod fishery too. If the commercial fishery was open there would definitely be a food fishery, or whatever, because nobody would have a problem with it. I don't think anybody had a problem with it in the past. That's not going to happen when there's no commercial fishery. Definitely not. That happened to our salmon, and we'll never have a commercial salmon fishery again. It'll be only recreational, definitely. It's a done deal.

Our turbot is coming back big time. We saw more turbot there off Cape Bonavista this year than have been seen in the last 30 years, averaging some as full as 200 pounds a net, 150 pounds a net, which is an excellent turbot fishery.

But nobody wants to listen to fishermen. Scientists are basing their assessment on one thing: the *Teleost* study. *Teleost* is great for the offshore. It's a big boat. But when it comes to getting into Smith Sound or some of the small bays in Bonavista Bay or Notre Dame Bay or any other bay in Newfoundland, it hasn't got the maneuverability to get in and see what's there.

Back four or five years ago I was at a DFO meeting in the Lions Club in Clarendville. George Lilly came in there—he's the scientist at DFO, the main one at that time—and he made a statement that was totally contradictory. He estimated that there were 15,000 tonnes of northern cod left, but about a half hour later he said that seals were eating 52,000 tonnes of northern cod. In other words, they ate all that was out there and they found some that they didn't know was there. There's still plenty of cod from that land. Every size and class is there that should be there.

In 1991, 1992, and 1993 we didn't see much small cod. And when I say small cod, I'm talking about little stuff that you see in by the wharfs, because that's usually where it starts growing, by the wharfs in the bays. But I think it was in 1994 and 1995 it started to appear again, and in great numbers, and it's getting better every year—our four-inch fish, our three-inch fish, our six-inch fish, right on up through to our commercial sizes and greater.

● (1230)

The fish, after spreading from the north side of Trinity Bay and the south side of Bonavista Bay, were probably all that were left in 1992; that was all we saw anyway. Now it's right from Cape Bauld to Cape St. Mary's. There might be places... I think, Loyola, you were saying there's not much up on that ground up there. There was probably a reason for it, but all the southern shore, you know, was pretty good with cod these last two years. There were pretty good signs of cod there.

When they first opened that index fishery, they couldn't fill their quota. There was nothing there. There was nothing in Conception Bay. There was nothing in Notre Dame Bay, nothing in White Bay, but now it's all there. It's everywhere. When they had that excuse for a fishery, I call it—that blackback fishery—I mean, it was a total... It should never have been opened. It was a disgrace, what they did. I didn't even catch it, by the way. I didn't bother with it, because at that time of the year it was worthless. The fish were worthless—40¢ a pound. With the price of gas now, it was totally worthless.

Anyway, in that fishery I don't think there was anybody who tried to catch fish, right from Cape St. Mary's to Cape Bauld, who didn't get it, and that's something else. They had 5,600 tonnes, I think, in that index fishery. It worked out to 7,000 pounds per fisherman. Well, 5,600 tonnes was never taken, because there's no fish north of Cape Freels and very little south of Baccalieu Island. There is very little fish taken in those areas.

But if you opened it up now with 5,600 tonnes and said you had 7,000 pounds per fisherman, you would see that in two days the 5,600 tonnes would be taken. Fishermen all over would be taking that fish, that 7,000 pounds, in two to three days with six nets. The whole area would be taking fish. So that's something you would have to look at in opening a fishery, because nobody wants to go out and destroy any stock from our fishery.

I'm on a crab committee, and I'll tell you now, there'll be no... We took it very slow in Bonavista Bay. We took it very slow in getting increases in crab. We came up very modest—500 pounds a year, stuff like that—till we got up to where we are now. I think we started out with 5,200 pounds and we've ended up now at 13,500. Our stocks are just as healthy—one of the few places, I can say. Our southern shore has taken a beating; a lot of the fellows are not getting their crab up there, but they went up through the roof, as far as I'm concerned. We didn't; we took it slow. Dave Taylor, the DFO scientist, is one scientist who I find is very fair and honest. He agrees with the fishermen and what the fishermen are saying—that our stocks are quite healthy in Bonavista Bay, quite healthy in both the inner and outer bays.

I was one of the ones who pressed, and pressed diligently, to get modest increases. We didn't want to go overboard one year and then have to lose it all the next year. We wanted to go up slowly, and if we had to go down, we would go down slowly. But we haven't had to go down; things are looking great for our crab fishery.

I don't want to see that—if you opened up a 5,600 tonne fishery, you would probably have to say 2,000 pounds per groundfish licence till you see what happens. Then, if the quota hasn't been taken, maybe you can increase it. But I say start off slow. Personally, I feel you could have 25,000 pounds of fish, but my personal feeling is I don't want to destroy cod stock, so start off slowly, but give us a fishery that we can direct at cod, not what we had last year. There's no sense of direction; there was no sense in anything they had last year. There was no sense, nothing.

Have it in the right time of the year. Have it a hook-and-line fishery to start off, because the hook-and-line fishery is a very sound fishery; it doesn't destroy anything. If you've got a gillnet out today and there's a storm wind today and you don't get out to haul it, half your fish are destroyed tomorrow and go overboard. You're not going to bring in bad fish and throw it away. You throw it away; it won't come off your quota. I mean, that's natural. That's going to happen; I don't care who it is, it's going to happen. With a hook-and-line fishery, if you don't get out today, the fish are still swimming around.

That's my reason for a hook-and-line fishery; if some people in some areas haven't got a good hook-and-line ground, they'll have to go till they find a hook-and-line ground.

• (1235)

A few years ago when there were no fish on the north side of Bonavista Bay, all the people from the north side came to Bonavista to use their gillnets. Wouldn't they come over there and do their hook and line? It's the same thing.

**The Acting Chair (Mr. Bill Matthews):** I'm sorry to interrupt you, Gary, but for the interpretation and so on, could you speak a little more slowly? You're fine with me, but I'm sure the interpreter is probably finding it a little hard to catch up with you.

**Mr. Gary Monks:** I find the same thing in Alberta. I'm talking too fast.

• (1240)

**The Acting Chair (Mr. Bill Matthews):** I didn't mean to break your train of thought. Please go on.

**Mr. Gary Monks:** I raised three kids in the fishery and they're doing very well. My daughter is going to be a captain in probably four to five years. She'll have her third mate's ticket this fall. I have one son who's a driller on the oil rigs and the other fellow is a derrickman on the oil rigs in Alberta. None of them followed in my footsteps because I wouldn't let them, because there's nothing here for them. There's not even enough for me to make a living now.

That's basically it. I can't tell you any more, only that there are plenty of fish. The fish are coming back, and don't let any scientist ever tell you they're not. The northern cod are back now, pretty close to what they were in the 1970s, only it's not totally in the offshore this time. A lot of them are staying in the bays because the bottom is good; it's not all torn to pieces.

There are still fish in the offshore. Don't let anyone tell you there are no fish out there. If you give me a dragger and let me fish in that offshore, give me four days and I'll be back with her full to the hatch covers. I'll guarantee that anywhere in the offshore. I know they're there because I saw them this year.

Before 1992, when we fished turbot in 180-fathom water, we didn't get any cod. If we got 100 pounds of cod out of 40 or 50 nets—that's what we used to fish back then, 50 nets roughly, and the boats always fished with nets—that was four nights on the gear, and we were doing wonderful. I've seen that out of one net this year in 180 fathoms. And 180 fathoms is nothing for cod depth; 120 fathoms to 160 fathoms is the depth for cod in the deep water.

I just wanted to get that in there to let you know there are fish in the offshore. When the scientists go there in December or January to do their study they may have moved elsewhere; I don't know. I won't be out there then. But they certainly were there in the month of August.

Thank you.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much, Gary, for your presentation.

Before we go to questioning, I'll just note that in your presentation you referenced—and I know many like you feel the same—that you feel no one is listening to the fishermen and so on. I picked that up. I just want to say, as the chair of the committee for this session, that this committee is here, an all-party committee, because we want to listen to people like you. I say that very sincerely, and I've been on this committee as long as anyone else at this table.

What we do is go out and listen to witnesses and their testimony. We have two days left after today, and then we'll go back to Ottawa and review what's been said, very carefully and very responsibly. In the final analysis, we will come up with a report, which we hope will be unanimous—and in this committee usually it is unanimous—with recommendations that we make to the House of Commons and to the Minister of Fisheries and Oceans. That's the process.

I just want to say, on behalf of my colleagues, that as a committee we had a choice of business to do, and this committee chose to do this. I'm just saying that to tell you how sincere we are as a group about this issue and why we're here. We will be responsible, as we've always been, and we will make our recommendations in our report.

I want to leave it there and go to our first round of questioning. We'll go to Mr. Keddy.

**Mr. Gerald Keddy:** I think Mr. Kamp had a couple of questions, so I would ask one or two questions, if I could, and then allow Randy to finish up the time.

Mr. Monks, welcome to the committee. Thank you for coming.

Just for your information—I was listening to what you were saying, that you're working in Alberta at least part of the year—Newfoundland is not alone. We've seen that throughout eastern Canada. In Nova Scotia, the South Shore—St. Margaret's riding that I represent, although it's fairly diversified, still has a big fishery.



A lot of my neighbours work away. A friend of mine left yesterday for Alberta. He'll be back some time before spring. And we've seen the same thing with retirement communities. People from away are retiring into rural and coastal Canada. They like the lifestyle; they like the people; they like the honesty; they like the lack of crime.

However, that's not going to keep our communities alive, so in the long run it's a really serious issue. I think it's important that you know and understand that we take it seriously—at least a good number of us do.

I very much appreciate what you're saying about a limited and a careful approach to the possibility of opening a fishery and a 2,000-pound limit that can be raised. I wonder if you think the majority of fishermen would abide by that, because we've certainly heard a lot higher numbers. So that's one question.

The other question is, in the long term, how do we deal with a regulatory regime that encourages what we call in Nova Scotia “shacking”, or hitting a fish over the head and dumping it off the side, because you're not allowed to bring it on board; you're not allowed to catch it. If you do catch it—and you only have so much bycatch—are you going to keep a fish that's worth 30¢ a pound rather than one that's worth 90¢ a pound?

**Mr. Gary Monks:** Concerning the first part of your question, whether people are going to agree with it, you might say they had no fishery this year, and they agreed with that.

**Mr. Gerald Keddy:** Well, they had to.

**Mr. Gary Monks:** They had to. So if there is a 2,000-pound quota and that's all they're going to be allowed to catch, they have to agree with it.

I'm not saying 2,000 pounds is the figure, but what I'm saying is that back when we had 5,600 tonnes, the government said it worked out to 7,000 pounds. Now, if you take the number of fishers in 2J, 3K, and 3L who are fishing that northern cod and multiply it by 7,000 pounds, I tell you, you come up with an awful lot more than 5,600 tonnes.

The Department of Fisheries was quite aware of that, but they knew there were no fish on the northeast coast below Cape Freels. There was a very small amount; there were only little pockets of fish here and there, when anyone was catching anything. They knew there was nothing on the southern shore. They knew there was nothing in Conception Bay. They knew they weren't going to get their fish. It wasn't even worthwhile for a lot of fishermen to try it.

Now the Department of Fisheries knows it's there. They know the fish are down in those places; I know it's there. So 7,000 pounds is not going to cut it with 5,600 tonnes. I don't know if 5,600 tonnes is the figure we produce or not.

• (1245)

**Mr. Gerald Keddy:** No, and quite frankly, I don't either, but why do you suppose the Minister of Fisheries would set a quota for 5,600 tonnes if he knew it couldn't be caught?

**Mr. Gary Monks:** Just to keep people happy.

**Mr. Gerald Keddy:** It's called politics.

**Mr. Gary Monks:** Politics, exactly; that's basically what it is, politics.

But this much I do know. There is an awful lot more fish on the east and northeast coast of Newfoundland now than there was when they opened the index fishery in 1995 or 1996, when we first had it opened with the 5,600 tonnes. There is an awful lot more now.

Not only that, but we're seeing those year classes of fish that we didn't see back then, the small fish. Everyone was talking about there being no small fish. There are plenty of small fish now.

In 1991, 1992, 1993, we didn't see any little 10-inch or 12-inch fish in our herring nets, when we were using our bait nets and our commercial nets. There were times this year when I had a full bucketful out of my herring net—a five-gallon bucketful of 10-inch fish, fished in my herring net.

This is the stuff that science is not seeing that we are seeing. It's not stored in the books; it's not stored on charts; this is all stored up here.

**Mr. Gerald Keddy:** That raises one more question.

How much time is left?

**The Acting Chair (Mr. Bill Matthews):** You have five minutes.

**Mr. Gerald Keddy:** I'm going to make this point because this is a problem we're seeing in Nova Scotia. It's a little bit off topic here today, but it's the same thing.

We're looking in southwestern Nova Scotia at the average age of the fisherman being 55 years of age. Most of them are prepared and ready to get out of the fishery. A lot of them don't have family members or anyone else to come into the fishery, and a lot of what we would call corporate memory, or institutional memory, in business is stored in that individual's head. It's not something you're going to go to school and learn from a book; you're going to learn it from walking the deck of the boat and being off there, understanding where the fish travel to, how the migratory patterns work, where they are in your part of the world, be it Bonavista Bay or the Bay of Fundy. If this continues, the next generation of fishermen are not going to have that memory built from observation or institutional memory taught from their fathers and grandfathers. I don't know if we can ever make that up; it would take almost forever. Is that as big a problem here as it is at home?

**Mr. Gary Monks:** I don't see it as only your problem, because in 20 years down the road in Newfoundland, all of us are going to be up for retirement—a lot less than 20 years for a lot of us—and I don't see anyone taking over. Right now I don't know how I could sell my business to anyone else because there are no young people coming up who want it. There are no young people going into the fishery any more, or very few, so who is going to take it? Personally, I don't worry about it because I don't see anyone fish anyway. In 25 years in Newfoundland there are going to be corporate fishing enterprises, like the plants, funeral home directors, and all that. Those are the only ones who'll be fishing in Newfoundland.

**Mr. Gerald Keddy:** It's the same as everywhere else.

**Mr. Gary Monks:** Yes, and that's definitely going to be the fact. I've said that for years and years, and at almost every meeting we go we talk a bit about it. I don't even think about that now. I'm looking for something for the next 15 years whereby I can make a decent living without going to Alberta to work. I'm 51 years old and I'm too old to work on an oil rig—that's what everyone tells me out there—and I don't want to get into politics. I'm not gangster enough yet.

**Some hon. members:** Oh, oh!

**Mr. Gerald Keddy:** Why not?

**The Acting Chair (Mr. Bill Matthews):** You might be very good at it, Gary. You're not stuck for words.

Mr. Kamp.

**Mr. Randy Kamp:** Thank you, Mr. Monks.

I think throughout today and yesterday we've appreciated the forthrightness of everyone, their not mincing words, and telling us what they really think. We appreciate that.

I don't know if you've seen the report of March 2005 called *Towards a Cod Recovery Strategy*. It's a consultation paper issued by the Action Team for Cod Recovery. It was a joint report with the two levels of government. That report summarizes some key stock parameters, and in terms of total biomass in the 2J, 3K, and 3L, it says the historical peak was 2.6 million metric tonnes. Then post-1970 it was about one million metric tonnes, and it lists the current level at 46,000, which is obviously a huge difference from its peak. The post-1970s peak, I think they say, was from 1983 to 1986. I believe you were fishing in those years, and I'm curious as to what you think. Are those numbers anywhere close to what you think you see in the inshore? This 46,000 is an inshore number; it's a 2003 number. Has it changed that much since 2003? Are there still less than 50,000 metric tonnes of biomass out there to be caught? In the next day or two we're going to hear from scientists and DFO officials that any kind of commercial fishery probably is unsustainable.

I have two questions. What do you think about these numbers, and how should we respond to those scientists we'll hear from tomorrow?

• (1250)

**Mr. Gary Monks:** The first thing I'm going to say is that back in that meeting with Mr. Lilly, three or four years ago, he estimated that 15,000 metric tonnes of northern cod were left, but maybe half an hour afterwards he said that the seals were eating 52,000 metric tonnes of northern cod. I don't know what a seal's... So I just couldn't bother.

Their figures are out to lunch; they haven't got a clue what's out there. They haven't got the facilities to do it and they haven't got the money to go and see what's out there. They're totally guessing; it's a guessing game with them. I haven't a clue what's out there, but I know it's an awful lot more than 46,000 metric tonnes. I know there's double that and then some. We have no problems in sustaining a fishery.

**The Acting Chair (Mr. Bill Matthews):** I'm sorry, but we're out of time. We have to move to Mr. Blais.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Chairman.

Good morning, Mr. Monks. I'm going to ask you the same questions I asked the others. I would like to hear your opinion; it's probably similar to that of the previous witnesses.

First, thank you very much for coming here. You also belong to an association—the FFAW.

[English]

**Mr. Gary Monks:** Yes.

[Translation]

**Mr. Raynald Blais:** You are here as an individual. What made you think of appearing before us?

[English]

**Mr. Gary Monks:** I think Mr. Matthews summed it up at the beginning; we're not being listened to, but I figured I would be listened to by this committee. At least we're talking directly and I'm talking directly to Ottawa right now. Before I was talking to bureaucrats, who do not listen. That's been proven: we've been on the moratorium now for 12 or 13 years, and they're saying that stocks are not recovering one bit, and we know they are—in the inshore. All bays, nooks, and crannies are full of fish—literally full of fish. In 1992 and a long time prior to 1992, there were lots of bays and parts of bays where you couldn't get one to eat. That's not happening any more. That's why I'm here today, to try to be heard.

[Translation]

**Mr. Raynald Blais:** That's in fact what was done. We will then have an opportunity to make recommendations, as Mr. Matthews mentioned.

Earlier you mentioned seals being present. Could you expand on that?

[English]

**Mr. Gary Monks:** There are plenty of seals, but personally I do not think the seals are the cause of the decline of our fishery, or even keeping the cod stocks down. Yes, seals eat fish; they've been eating fish since the beginning of time. That's a fact. And they're an opportunistic feeder; they'll feed on whatever is available. When capelin stocks are great, capelin is their main diet. They'll eat herring or anything that's available. When cod stocks are good, like they were... The cod are mostly offshore when the seals are inshore, but now, with the fish in the bays in the wintertime, the seals do hit them, but we don't see the same degree of destruction by seals this last seven or eight years as we did in the first part of the moratorium. The reason for this is that there were no small fish for the seals to eat; that's what I'm thinking anyway, or that's my opinion. The fish were eating and tearing the gut out of the bigger fish. You were seeing the fish on the bottom. We have pictures of the fish in Great Chance Harbour and at the bottom of Bonavista Bay. It was ridiculous what was done, but we haven't seen it since, and I think it's because of the recovery of the small fish. They eat all the small fish, but they can only eat the gut out of the big fish; they can't eat all the fish, because they eat it whole and don't chew it.

I don't think seals were ever a problem to the point of stopping the recovery of the cod stocks.

•(1255)

[Translation]

**Mr. Raynald Blais:** What is it?

[English]

**Mr. Gary Monks:** It's combination of a lot of things. Whatever happened in 1992 to our offshore cod stocks, it seemed like they all poured into the inshore. Whether it was the bottom destroyed, the water temperatures, or environmental... I don't know. But that's what seemed to happen in 1992, because when the stocks disappeared... We wouldn't have even had the fishery closed down in 1992 if FPI were able to catch their quotas. That's the only reason why it was closed down.

They disappeared on the offshore, but they appeared in the inshore. There were plenty of fish in the inshore in 1992, but the small fish weren't there in 1992 and weren't there in 1993 and 1994. After that, the small fish started appearing. They're there now. Every year, as far as I'm concerned, they are there like they should be.

[Translation]

**Mr. Raynald Blais:** How open are you to working with scientists within a committee or a group?

[English]

**Mr. Gary Monks:** Well, I've been cooperating with scientists for years. I've been a big part of this seal study or survey. I've been collecting samples of seals' stomachs for science for about 22 years now, and that's why I have a very good knowledge of what's in their stomachs and everything else.

Every year when I send in my samples, sometime in September or October, I get a report back stating what was in the stomachs, and I've seen changes over the years. One year it might be mostly arctic cod, another year it might be mostly capelin, and another year it might be mostly herring. Then in 1992 and 1993 they didn't know

what it was because it was the soft tissue of the cod's stomach. If there are no bones in it, they can't identify it.

[Translation]

**Mr. Raynald Blais:** Do you see future collaboration with scientists as being a positive thing?

[English]

**Mr. Gary Monks:** It would be positive if we were listened to, but if they're not going to listen to us, it's pointless. We've had good relations with science on crab. We've had good relations with Mr. Dave Taylor. We've worked together now for the past seven or eight years, and we're having excellent results because he's checking against what we're finding and we're seeing what he's finding and it's working really well. We're managing our cod stocks really well, and I know we could do it with cod. But if scientists are not going to listen to us, if they're going to beef among themselves, it's not going to work. But I'm certainly willing to give it a try.

[Translation]

**Mr. Raynald Blais:** Thank you, Mr. Monks.

[English]

**The Acting Chair (Mr. Bill Matthews):** Thank you very much.

Mr. Stoffer, please.

**Mr. Peter Stoffer:** Mr. Monks, thank you very much for your presentation.

I am going to ask you a very simple question. In your opinion, was John Crosbie right in shutting down the inshore fishery in 1992?

**Mr. Gary Monks:** That's a difficult question. At the time I didn't think he was right, but when we sat down and looked at it and saw that there were no small fish... That stock that was left when he shut it down in 1992 is what we're seeing now with all the small fish and the reproduction.

Science and myself and a lot of other fishermen don't agree on what is there, but I know what's there, and it's recovered because of what John Crosbie did. At the time I did not agree, but when I look back now, I think he did the only thing that was possible. If he hadn't done it then, there would definitely be nothing left. The inshore had a 115,000-metric-tonne allocation at that time. We could have caught that and a lot more in 1992, because there was plenty of fish in 1993. I'd say today we wouldn't have a fish left if he hadn't done it—honestly.

•(1300)

**Mr. Peter Stoffer:** Okay. As Mr. Kamp said, in regard to our meetings tomorrow with scientists and their figures, they're going to be quite adamant and quite stringent on this, even though we know that the science department over the years at DFO has been reduced in terms of their budgetary and manpower allocation.

If you were sitting in front of them, if Minister Regan were here now and he had his scientists over here giving him this information on recommendations on what he should do and the fishermen were over here, who would you tell Mr. Regan he should listen to?

**Mr. Gary Monks:** Well, I know what I would tell him. He wouldn't want to hear it. Oh, I'd definitely say—

**Mr. Peter Stoffer:** Should he be listening to fishermen who are on the water?

**Mr. Gary Monks:** He should listen to the people who are on the water every day, not the people who are out there maybe once a year for maybe a week, and that's basically what they get, about one week a year for each of their... Crab gets maybe a week, cod gets a week, shrimp gets a week, and sometimes they have to combine their week for two or three species. They really have no resources to do their work, plain and simple.

**Mr. Peter Stoffer:** I was on the west coast recently, and a lot of the fishermen there were saying quite clearly that they're convinced—now this isn't a unanimous decision, of course—that DFO's objective is to eliminate the independent commercial fisherman. Yesterday we heard from a fellow in Bonavista who said almost the same thing. He can't prove it, there's nothing in documentation, but he believes that the way this is going, they should turn it over to the large corporate sector, get the fish processed over in other countries, and Bob's your uncle, because there are no young people getting into it anyway; let's get rid of the fishermen now and life will be much easier to manage the stocks. Is that a fair assessment, or am I just blowing smoke?

**Mr. Gary Monks:** Well, I don't want to think so, because if that is the intention, it's pointless for me to be here today and it's pointless for you to be here today. We're just wasting government money. I've said a thousand times that there is a hidden agenda. I didn't want to say it here today.

**Mr. Peter Stoffer:** You can say whatever you want.

**Mr. Gary Monks:** No, I'm honestly hoping you are going to make a difference. I'm hoping. I didn't want to say that, but in the back of my mind, I honestly believe there is a hidden agenda to put us out of business, and a lot of us are pretty close.

**Mr. Peter Stoffer:** On the west coast, it wasn't for the lack of salmon; it was because of an environmental concern for Cultus Lake salmon. Here, it's not because of a lack of inshore cod, according to what we've been hearing over the last two days.

A simple layman would ask, if you need to earn a bit of an income and the fish are there, why not allow the opportunity to catch 2,000 to 4,000 or 5,000 pounds of fish? Why wouldn't we allow Newfoundlanders to do what they do best to earn a livelihood?

DFO is going to say no, because of the protection of the stock, but we have different opinions on the numbers. I can't see how educated scientists could be so way off the mark. For fishermen who work on the waters, where this has been their livelihood for years and years, it's a completely different story. Something is not right here.

**Mr. Gary Monks:** If you were told tomorrow that if you tell the truth your job is gone, what would you do?

**The Acting Chair (Mr. Bill Matthews):** Is that why politicians never tell the truth, Gary? Do politicians never tell the truth because they're afraid their jobs would be gone?

**Mr. Gary Monks:** I don't know about that.

**Mr. Peter Stoffer:** If you were Minister Regan and you wanted to do something to help the people of Newfoundland and Labrador, what would you do?

**Mr. Gary Monks:** I'd give them a decent quota of fish. Let's face it, if the cod stock has not recovered in 13 years, it's not going to recover in 130, 230, or 530 years. Give them a good fishery. Give them a decent fishery to make a living. Let them go out there and get two or three years out of it. If it's gone, it's gone, because it's not going to come back now anyway. Why is it going to come back in another 20 years? What's going to bring it back?

**Mr. Peter Stoffer:** And for whom?

**Mr. Gary Monks:** There will be nobody other than foreigners and corporations left anyway.

**The Acting Chair (Mr. Bill Matthews):** We'll have to hold it there on that note, and we'll go to Mr. Murphy, please.

**Hon. Shawn Murphy:** Thank you.

I have a few questions, Mr. Monks. Thank you very much for coming.

Could you give us a little background on your fleet? I take it that your main fishery is crab.

•(1305)

**Mr. Gary Monks:** Right now it is, yes.

**Hon. Shawn Murphy:** It's basically all that's left. You have a quota of 13,000.

**Mr. Gary Monks:** It's a 13,500-pound quota.

**Hon. Shawn Murphy:** What else have you tried over the last four or five years? Have you tried the mackerel?

**Mr. Gary Monks:** This year was the only year that we've seen any mackerel in Bonavista Bay. I'd say that it's close to 20 years since there has been any mackerel in Bonavista Bay.

**Hon. Shawn Murphy:** Was it good this year?

**Mr. Gary Monks:** Oh, it was excellent. I've caught 115,000 pounds so far.

**Hon. Shawn Murphy:** The price wasn't that good, though.

**Mr. Gary Monks:** No, but we averaged about 13¢ a pound for it, so that's \$13,000. I'll tell you, when you're talking about a small enterprise like mine, \$13,000 is a lot of money.

**Hon. Shawn Murphy:** Is there anything else besides the mackerel and the crab?

**Mr. Gary Monks:** We had a little bit of lump. The lump price was way down this year. We had a little bit of lump and turbot.

The turbot was good. It was \$1 a pound. I got 12,000 pounds of turbot with my little 30-foot boat. There were five of us on that boat, but we all made a few dollars out of it.

**Hon. Shawn Murphy:** Is that consistent? Over the last four or five years, are those the main species you go after?

**Mr. Gary Monks:** There's lobster. I've got a lobster licence. I fish lobster. Basically, since I started in 1971, I've seen very little difference in lobster. You get about 3,000 pounds of lobster a year, down to about 1,500 pounds of lobster. Most of it is 1,400 or 1,500 pounds of lobster per year. It's not like the lobster in Nova Scotia.

**Hon. Shawn Murphy:** Going back to the science, do you have any interaction, not so much as we described on the crab, with Mr. Taylor, but on the cod science? Do you talk to the scientists? Do you meet with them? Do you have any dialogue with them?

**Mr. Gary Monks:** Only in meetings, and I will go and sit down and...

**Hon. Shawn Murphy:** Who is the so-called cod scientist for this area?

**Mr. Gary Monks:** George Lilly, I suppose, is the man we have most of our dealings with now.

**Hon. Shawn Murphy:** Do you feel he knows what he's doing?

**Mr. Gary Monks:** No.

I'll rephrase that. I won't say he doesn't know what he's doing. If he does know, he's not showing us he knows.

**Hon. Shawn Murphy:** I see.

**Mr. Gary Monks:** I don't think he has the resources to do what he can do.

**Hon. Shawn Murphy:** I assume it was him. There was a fairly extensive report written. Now I've been told it's not so good, but when I read it I can't tell whether... Well, I'll just read the first paragraph. It's 21 pages. It says:

Status of the 2J and 3KL cod stock was assessed based on data from research bottom-trawl surveys, sentinel surveys, prerecruit surveys, acoustic surveys in a specific area, tagging studies, a telephone survey of fish harvesters, and catches from the commercial and recreational fisheries.

Then he goes on for the next 20 pages and describes a lot of what is said here, and some of it is confirmed by the fishers and some of it is disputed. Are you saying that most of it is just not true or...?

**Mr. Gary Monks:** When was that?

**Hon. Shawn Murphy:** It was issued May of 2005, so this year. In fairness, this year's catch would not be included. This would take in the 2004 statistics.

**Mr. Gary Monks:** All we had in 2004 was the same thing we had this year, the blackback fishery. I don't think the fish were as widespread in 2004 as they are this year in Newfoundland. It is only now that this pre-recruit since 1992 is coming in at commercial size to be caught in nets.

**Hon. Shawn Murphy:** They did acknowledge that the inshore fishery is in certain areas, not in certain bays, Bonavista being one of them. He said:

A small fishery directed at these inshore populations was reintroduced in 1998. Catch rates declined and the fishery was closed indefinitely in April 2003. A food/recreational fishery, which had been open for several years, was also closed.

He described why they did that. Was the DFO wrong in closing it in all three, as they did, based on what he said?

**Mr. Gary Monks:** Well, I didn't see the evidence he saw. In 2003 I think I caught my fish on one hook. I don't use nets for fish, only when I had... I didn't even catch the blackbacks; I didn't even bother that fishery in a year. But I don't fish for cod in nets. As far as I'm concerned, the fish that's caught in a gillnet is not fit to eat. Dead or alive, it's not fit to eat. It's a different fish altogether than a hook-and-line fish.

I use one hook. The last year it was opened I used one hook and I wouldn't catch over 300 pounds a day, because I wanted something to do for the fall. I didn't start fishing until it opened up, I think the 15th of September, and I caught my 300 pounds every day. It was in one hour, one hook, and I was back to the wharf. That's all I would catch, because I wanted something to do for the fall, where I had something to do every day.

• (1310)

**Hon. Shawn Murphy:** So you're saying that in 2003 the fishing wasn't that bad at all.

**Mr. Gary Monks:** No, not in our area anyway.

**Hon. Shawn Murphy:** Not in your area.

I have one last area, Mr. Monks. You've been very frank with us, and we've had these hearings and we've been hearing all over Atlantic Canada about illegal fishing. It's rampant in some parts of Atlantic Canada and in some parts you don't see it at all. I'm talking about poaching, I'm talking about unreported catches, I'm talking about underreported catches—I'm talking about all that.

What's the situation in this area?

**Mr. Gary Monks:** Well, I guess it's going on everywhere. I've got to be honest with you. When you have no commercial fishery, whether it be salmon, cod, lobsters, or anything else, that opens a big market for the black market fishery. That's why there's so much poaching going on. You have people out there who don't care about getting caught; they probably haven't and don't even own a boat or a motor. If I go out and get caught, I have a \$30,000, \$40,000, \$50,000 enterprise to lose, my boat, motor, everything else.

If somebody has an old wooden boat that's worth nothing and an old motor that's a clunker, it's worth nothing; if he goes out and can get away with 10,000 pounds or 15,000 pounds of cod or salmon, the chances of him getting caught are not that great any more.

**Hon. Shawn Murphy:** Where does he sell it? Where does he sell this cod?

**Mr. Gary Monks:** Anyone in Newfoundland will buy it. My God, everybody wants cod. We always had cod. It's no problem to sell cod.

**Hon. Shawn Murphy:** Mr. Hearn wouldn't buy it, though.

**Mr. Gary Monks:** There's not a person in this room that wouldn't buy it.

**The Acting Chair (Mr. Bill Matthews):** Mr. Murphy, are you finished?

Mr. Simms, do you have a question? If you don't, I'd like to ask the quickest one. But go ahead, if you like.

**Mr. Scott Simms:** I had a quick question, but I will defer. I want to defer to my noble chair.

How much time do we have?

**The Acting Chair (Mr. Bill Matthews):** We've got time. We have time if you want to ask a quick one. Are you quick, so it won't end up being five minutes? Some other quick ones have been five minutes.

**Mr. Scott Simms:** Many people have said to me that the capelin fishery pulled them through so far this season. Others are saying that to help replenish what's out there in the offshore, one of the things you could do is cut or curtail the capelin fishery. I'd like to get into it further, but I can't really. Can you comment on that?

**Mr. Gary Monks:** Three years ago I would have told you yes. As far as I'm concerned, the capelin were in there and plentiful, but what we've seen in the last two years with capelin is the capelin are back big time.

The capelin took a bad beating when Barry made the deal for Burgeo with the Russians. That is the truth. The capelin stocks were almost wiped out, but now they're back big time.

**Mr. Scott Simms:** When was that?

**Mr. Gary Monks:** I don't know the exact year.

Do you remember when Burgeo was down there with nothing to catch and he got the cod from the Russians and gave them...? They got the big quotas of capelin through Ottawa so they could trade. They traded capelin for cod. That's basically what it amounted to.

Bill, you know what I'm talking about.

**The Acting Chair (Mr. Bill Matthews):** That's the Seafreez deal, I think it was.

**Mr. Gary Monks:** Yes, the Seafreez deal.

**The Acting Chair (Mr. Bill Matthews):** It was Canso and Burgeo. It was somehow connected with that.

**Mr. Gary Monks:** Anyway, it just about destroyed our capelin stocks. The Russians came over here and they just scooped them up by the factory freezer and went on with them, and they damned near wiped out our stocks. But now the capelin are back to what they were in the seventies. We see plenty of capelin. You go out and our sounders are lit up continuously.

**The Acting Chair (Mr. Bill Matthews):** Does that answer it, Mr. Simms? Do you have any more?

**Mr. Scott Simms:** No, go ahead.

**The Acting Chair (Mr. Bill Matthews):** If you don't mind, I have just one quick question, and I want to ask for my colleagues' concurrence and agreement that we would forego the second round of questioning, because we're way over time. We have to check out of the hotel and so on.

Do I have agreement from the committee to stop after I question?

**Some hon. members:** Agreed.

**The Acting Chair (Mr. Bill Matthews):** Thank you very much.

Mr. Monks, in your answer to a question, or maybe in your testimony, you referenced the return of smaller cod. Up to a point in

time you were saying there was none, and now there is smaller cod and there has been for a number of years. It may be a stupid question on my part, but they say if you don't ask questions, you don't get the answer and you don't understand.

The first thing that popped into my mind was this. Where does this inshore bay stop? We talk about spawning. Does it spawn in the bays or is this smaller cod being spawned somewhere else and coming inshore? Perhaps you could clarify that for me.

**Mr. Gary Monks:** They do spawn in the bays. That's certain. I know around our area there are a couple of places you can go to every spring in the month of June and you can haul up a fish for your dinner, and the spawn is actually running out of it. The milk is running out of the males. We know they spawn there, and they spawn big time. That's what has replenished our stocks.

• (1315)

**The Acting Chair (Mr. Bill Matthews):** Okay. I would like to finish then. If this stock, indeed, spawned in the bays—which I don't doubt at all—why would we have gone through years where we wouldn't have seen the smaller fish we're now seeing?

**Mr. Gary Monks:** I told you that in 1992, whatever happened, this fish moved from the offshore to the inshore. Traditionally, before 1992 we saw the fish. It was a small amount of our bay stock. I know in Bonavista Bay there was... We fished it with cod traps in the month of May. At the first sign it was caught in our net, we set our traps, in late April or early May.

We fished that until the first of June, then we took up our traps, we dried them, we got them ready for when the capelin came. But the massive bulk of our fishery before 1992 was from the offshore cod stock. So it came in with the capelin. When the capelin came inshore, the cod came with it in great numbers and then we fished it, and usually around October 15 the majority of fish were gone. You had a job to get much fish around our bay after October 15. Out in the offshore areas you'd get some, but the majority of it was going out of our bays and moving back to the offshore. Thus, the great concentrations during the wintertime would have been the draggers.

Whatever happened in 1992, there was a massive influx of fish from the offshore to the inshore. It didn't go back out; it came in. It filled up Smith Sound.

In Bonavista Bay, up in the Charleston area, if you went up there and put a hook through the ice... They had to close it down because they left it open for 1992 and 1993, I think, for food. You'd go out and catch your fish to eat for the first couple of years. They had to close that down. The ice was black in Charleston. What would catch it through the ice?

Whatever happened, there was a massive influx of fish from the offshore to the inshore in 1992, and it seemed to me it took a couple of years for them to get used to that area before that fish started to spawn in the inshore.

Maybe I'm totally wrong in what happened, but that's just the way I'm thinking. They had to get adjusted to the different temperatures of water in the inshore, or whatever. Traditionally that offshore fish used to spawn in January and February out there, but as I just told you, in the month of June it started spawning in the inshore. It didn't spawn until late May, early June, in that timeframe.

We could see it because we were getting them in our lobster pots. Before 1992 we didn't get any fish in our lobster pots—none.

**The Acting Chair (Mr. Bill Matthews):** I just wanted to clarify that, at least for my own understanding of the situation, because that crossed my mind as you were speaking.

We're going to agree to finish there.

I want to thank you, Mr. Monks, for coming.

**Mr. Gary Monks:** Thank you for having me.

**The Acting Chair (Mr. Bill Matthews):** I want to thank the other witnesses who appeared this morning for their excellent testimony, and I want to thank my colleagues from all political parties here this morning and our support staff for being here with us. We're moving on to St. John's after here. So thank you to everyone.

With that, I adjourn the meeting.

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