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Chair

Mr. Scott Simms

Standing Committee on Fisheries and Oceans

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● (1545)

[*English*]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): Hello, everyone. Welcome to our meeting today, Wednesday, November 2, 2016. We are embarking on a new study and we have some witnesses.

However, I'm going to turn to Mr. Doherty. I think you wanted to take the floor first.

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Chair, I'd like to put forward the following motion:

> That pursuant to Standing Order 108(2), the Standing Committee on Fisheries and Oceans amend the end date of the study on the Fisheries Act Review to include at least four additional meetings to ensure that affected stakeholders in every region of the country are provided with an opportunity to appear; and to guarantee that the Committee can properly incorporate and respond to the feedback received from public consultations launched by the Government of Canada, at the Committee's earliest convenience.

With your approval, Mr. Chair, I'd like to put that forward.

The Chair: Yes, indeed.

The motion is in order. I'd like to open the floor to debate on Mr. Doherty's motion.

Mr. McDonald.

Mr. Ken McDonald (Avalon, Lib.): Thank you, Mr. Chair.

As everybody is well aware, I made the original motion. We selected that date at the time. It was voted on by the committee and passed. I believe, at the time, it was probably passed unanimously for February 28. I would suggest we leave it at that date, and without saying any more on it, I now move a motion to adjourn debate.

The Chair: As we now know, this is a motion that we have to get to right away. A motion to adjourn debate has been put forward; therefore, that vote must happen.

We'll now vote to adjourn debate.

(Motion agreed to)

The Chair: That being said, we want to welcome the minister here today. This is our study that we approved some time ago, as Mr. McDonald mentioned. I'm going to read out, pursuant to Standing Order 108(2), the motion adopted by the committee on September 19, 2016:

> That the Committee, in light of the letter provided by the Minister of Fisheries, Oceans and the Canadian Coast Guard & the Minister of Transport, review and study the scope of application of the Fisheries Act, and specifically, the serious harm to fish prohibition; how the prohibition is implemented to protect fish and fish habitat; the capacity of Fisheries and Oceans Canada to deliver on fish and fish habitat protection through project review, monitoring, and enforcement; the definitions of serious harm to fish and commercial, recreational, and Aboriginal fisheries; the use of regulatory authorities under the Fisheries Act; and other related provisions of the act, and provide its recommendations in a report to the House, no later than Tuesday, February 28, 2017.

Appearing before us today, we have the Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and Canadian Coast Guard, and his parliamentary secretary, Mr. Serge Cormier. We also have, from the department, Catherine Blewett, Kevin Stringer, and Philippe Morel.

Minister LeBlanc, you will have 10 minutes.

Mr. Cormier, you, too, will have 20 minutes.... No, it's 10 minutes, sorry. It's only because we like you.

Hon. Dominic LeBlanc (Minister of Fisheries, Oceans and the Canadian Coast Guard): Are you suggesting 20 minutes each, Mr. Chair?

The Chair: No, 10 minutes is fine.

Go ahead, Minister LeBlanc. You have the floor for 10 minutes, please.

Hon. Dominic LeBlanc: Thank you, Mr. Chair, and through you, to our colleagues in the House of Commons.

Thank you for your invitation.

[*Translation*]

This is a special moment for me. It is my first opportunity to appear before you as Minister of Fisheries, Oceans and the Canadian Coast Guard, and I am delighted to do so. I hope that it will not be the last time.

[*English*]

I'm joined by some of the most senior officials of our department. Catherine Blewett, our deputy minister, is a new deputy minister in Ottawa. She had been the clerk of the executive council, the most senior public servant in the Province of Nova Scotia, and she joined the senior ranks of the public service in June. It's certainly Nova Scotia's loss and our gain that she's joined us in the department.

Mr. Chair, you introduced Kevin Stringer, the associate deputy minister, and Philippe Morel, the senior assistant deputy minister for fisheries management and ecosystems. Obviously, all of you know my colleague from New Brunswick, our parliamentary secretary, Serge Cormier, who will, as you said, Mr. Chair, have a few brief comments after mine.

[*Translation*]

As I said, this is my first appearance before your committee. I want to begin by saying how humbled and excited I was when the Prime Minister asked me to take on the portfolio of Minister of Fisheries, Oceans and the Canadian Coast Guard.

As you know, our oceans are facing numerous stressors, such as overfishing, habitat loss and destruction, marine pollution and warming sea temperatures. All these factors have negative impacts on our oceans and ecosystems.

[*English*]

If we want to protect our commercial, recreational, and indigenous fisheries for future generations, one of the most sensible places to start is to protect fish habitat, because quite simply put, without fish habitat there will be ultimately no fisheries.

Unfortunately, in my view, amendments made to the Fisheries Act in 2012 and 2013 stripped out and weakened some of the environmental protections that were specific to fish habitat. Most startlingly, the fisheries protection provisions that are currently in the act don't even reference fish habitat. I've also heard that there is some increasing uncertainty as to which bodies of water and fish species are currently in fact protected under the act.

My concern is that many of these changes were made without consulting the people who were most impacted by these changes. Indigenous and environmental groups were especially concerned with changes made to the act and perceived these amendments as a weakening of what should be a shared goal of protecting fish and fish habitat. Industry partners also became uncertain with regard to the regulatory requirements for which ultimately they would be responsible.

[*Translation*]

Our government heard these concerns and we promised to take action. In my mandate letter from the Prime Minister, I was asked to review the previous government's changes to the Fisheries Act and look at ways in which we can restore lost protections and incorporate modern safeguards.

But we did not want to do it by ourselves, without consulting those that are potentially impacted by these changes.

● (1550)

[*English*]

Instead, we want to take a holistic approach to reviewing the fishery protection provisions contained within the act. With that in mind I am very happy—and I know my colleagues in the department are—with your committee's decision to consult with Canadians on how to better protect fish and fish habitat, and in so doing to ensure the long-term sustainability of Canada's fisheries. We recognize the importance of putting in place processes to ensure a robust dialogue with provinces, territories, and obviously indigenous people.

[*Translation*]

To that end, we are working through a special task group reporting to the Canadian Council of Fisheries and Aquaculture Ministers to discuss this issue. We have also set up a number of bilateral meetings between our department's regional staff and their provincial and territorial colleagues responsible for fisheries, environment and natural resource issues to discuss provincial/territorial perspectives.

As I mentioned earlier, indigenous people have expressed serious concerns with the amendments made to this piece of legislation five or six years ago. To help encourage their participation and to benefit from their traditional ecological knowledge, my department is holding face-to-face meetings with various indigenous groups and providing funding so that they can attend these meetings and share their views on the matter.

[*English*]

We welcome the opinions of all Canadians, and encourage everyone to be part of this important conversation. To facilitate that, the department has launched an online public consultation. I'm sure many of you have already seen the site. It's called LetsTalkFishHabitat.ca. Here people can share their ideas about what protections are needed to ensure fish have a healthy environment in which to live, feed, and reproduce, as well as healthy corridors to migrate between such places. Should the committee find it helpful, we would obviously be very happy to share with all of you the feedback we receive through these various departmental consultations, at a time you would find appropriate.

As minister, and considering that amendments to the Fisheries Act are some of the most important responsibilities for somebody in my job, I thought that before these decisions are made we would ask Canadians to consider the following issues. What concerns do people have around the Fisheries Act changes and why? Where can we make improvements? How can we incorporate the latest science and traditional indigenous knowledge into this work? Will the amendments take into consideration future realities such as the impacts of climate change? Will additional enforcement measures and resources be required on the part of our department? Are the current penalties considered successful as the appropriate deterrence mechanism?

Mr. Chair, I look forward to the work the committee will do, to the recommendations it will formulate, to the evidence it will hear from Canadians and interested people. I think all of us benefit from having a very open and frank conversation about the ways that we can improve this important environmental and economic legislation.

That's why I want to thank all of you, and I know my colleagues from the department share that view, for having undertaken this work and to tell you that we are entirely at your disposal should you or your colleagues require any information, any briefings, any support. We're in the committee's hands as to how and when you'd like to receive regular updates on these ongoing consultations we're doing, either with the public or some of these more directed consultations with provincial governments and other groups, for example, indigenous groups.

With that, I look forward to your questions, but I know all of you look forward very much to hearing Serge Cormier's presentation. With your indulgence, Mr. Chair, I conclude my remarks.

● (1555)

The Chair: Yes, indeed.

Mr. Todd Doherty: I have a point of order, Mr. Chair.

The honourable minister himself has said that this is the first time that he has appeared before this committee. With all due respect to the parliamentary secretary, I'm sure he's quite capable of reading his talking points and speaking. We are here to hear from the minister. We don't get many opportunities to have the minister appear before here by his own admission. I would prefer that the minister takes the full 20 minutes.

The Chair: Mr. Doherty, our witnesses are in control of their own time. If they choose to split it with someone else, they certainly can. That always has been the practice. I agree that we don't often hear from parliamentary secretaries, but I'm afraid it still is their time.

Mr. Todd Doherty: I think it's important that Canadians, given the scope and the magnitude of this study—

The Chair: I realize that.

Mr. Todd Doherty: It's important to hear from the Minister of Fisheries himself.

The Chair: I realize that, but you also have several minutes in questions and comments. You can also go to the minister directly, if you wish to do so at that point. You can use your discretion. However, at this point, I'm going to have to turn to Mr. Cormier, as Minister LeBlanc is sharing his time with him.

[*Translation*]

Mr. Cormier, the floor is yours for seven minutes.

Mr. Serge Cormier (Parliamentary Secretary to the Minister of Fisheries, Oceans and the Canadian Coast Guard): Thank you very much, Mr. Chair.

Like the minister, I am going to take a few seconds to thank you for your work as chair of this committee. My thanks also go to all members of the committee for their excellent work. I love working with you and I am pleased to appear before you today.

As a Maritimer, and the son of a fisherman, I have strong ties to the ocean. I know from first-hand experience just how important our fisheries are from an economic, social and cultural perspective.

Today's appearance gives us an opportunity to talk about how our government is honouring the commitment we made to Canadians to review changes made to the Fisheries Act.

[*English*]

The Fisheries Act is one of Canada's oldest pieces of federal legislation dating back to the Confederation. It gained royal assent in 1868 and became an essential tool in the government's ability to sustainably manage our fisheries and protect the habitat that supports them.

Over the years, the act has been amended many times in order to keep up with modern realities. However, the most recent changes made in 2012-13 generated some serious questions about whether Canada is doing all it can to protect one of our more precious resources.

[*Translation*]

This shows the importance of your committee's decision to help determine if any of the fish and fish habitat protections that were lost during the latest amendment to the act should be restored.

We would also like to take this opportunity to explore legislative ways in which we can incorporate new and modern safeguards that will further strengthen fish and fish habitat protections.

Although the consultation process is still underway, over 5,500 Canadians have already participated in the online consultations. We are seeing a high level of participation, both through the surveys completed online, and the ideas shared through the online forum about modern safeguards.

So what are people telling us so far? As we expected, a good number of the opinions expressed deal with the state of fish and fish habitat, and with concerns about cumulative effects. As just one example, a respondent suggested prohibiting access to some areas in order to protect essential fish habitat. Another suggested focusing on the problem of culverts that have been poorly designed and installed, thereby reducing habitat for Atlantic salmon and several species of freshwater fish. The person who brought that matter to our attention proposed that the department should set up a partnership with provincial governments with a view to correcting some of the problems.

[*English*]

The theme of monitoring and enforcement also prompted a number of ideas and comments, such as delegating monitoring and enforcement to indigenous guardians; requiring greater catch data on all fish landings, including recreational, commercial, treaty, and more; and the need to hire more fishery officers. Not unexpectedly, Canadians are asking us to take a closer look at management practices and improve them, provide more data and information, and ensure it is available in a user-friendly format.

One such idea calls for an app that will help individuals and companies to locate their projects in areas that will have a lower impact on fish and habitat right from the start. This app will gather specific habitat information from provinces, municipalities, conservation groups, universities, the federal government, and industry, and will be combined into a national, online, publicly accessible fish habitat map.

Others have merely highlighted the importance of, where feasible, the need to modernize the government's fish counting tool in order to improve the efficiency of fish population surveys.

● (1600)

[*Translation*]

Once the online consultation period ends, we will happily share the feedback we have received with your committee, should you believe it to be of value to your study. We can also provide feedback that we have heard during consultations with the provinces, territories, indigenous groups, and other stakeholders.

From my perspective, Canada's wild fisheries and pristine waters are the envy of the world. By engaging in genuine and meaningful consultation with Canadians, I am confident that we will be able to chart an appropriate and responsible path forward when it comes to safeguarding Canada's aquatic ecosystems.

Thank you very much, Mr. Chair.

The Chair: Thank you, Mr. Cormier.

[*English*]

Before we move to questions, folks, and since we have the cameras here, I know the minister brought up the ability to have input through a department website. We also have that ability here within this committee. I would like to remind everyone who is watching or in the room that we have a deadline of November 30 for written submissions to the committee. The website is www.parl.gc.ca/committees and search for FOPO, fisheries and oceans.

That being said, we now go to questions and comments.

[*Translation*]

Mr. Finnigan, the floor is yours and you have seven minutes.

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Thank you, Mr. Chair.

Mr. Minister, thank you for coming to meet with us today to talk about amendments to the Fisheries Act. My constituency shares the shoreline along the gulf with those of the minister and the parliamentary secretary. Fishing is certainly a major undertaking in our region.

The government could simply have gone back to the Fisheries Act that was in force before it was amended in 2012, but it decided to go further. Can you tell us your view on that, Mr. Minister? Why did you decide to amend the current Fisheries Act and what results do you expect the update to bring about?

Hon. Dominic LeBlanc: Thank you for the question, Mr. Finnigan.

I will speak personally. But I have no objection to my colleagues filling out my remarks in order to provide the committee with information. They have much more expertise in the details of how the act is applied than I do.

You asked me why we just did not go back to the 2012 or 2013 text of the act, that is, before the most recent amendments were made. We preferred not to do simply that. I know that some, including some scientists, have suggested that it would be better to copy and paste and use what was there before the act was amended. However, we believe that we can do a little better than that.

The Prime Minister's mandate letter mentions modern safeguards. Since the text of the act that the previous government amended had been in existence since the 1970s, for 40 or so years, and since measures were included in the act, it could, 40 years later, be appropriate to add to the interpretation of what modern safeguards mean to fish habitat, such factors as climate change and the traditional knowledge of indigenous peoples.

We also preferred to listen to the voices of Canadians and to hear what experts, the fishing industry and farmers have to tell us. We have all heard past stories of how a country music festival had to be cancelled because of a problem with the Fisheries Act. We want to understand examples like that, because they clearly concern us. But we also wanted to hear the opinion of parliamentarians and of Canadians through this committee and through other consultations.

We will not be amending the Fisheries Act frequently. We will not do so in an omnibus bill. We will work transparently and I hope that your committee will continue to be part of the discussion.

We believe that we can bring in safeguards appropriate for 2016 and 2017 and not for 1976 and 1977. For us, what existed previously is the baseline. We want to make sure that we have a modern plan at least as solid as the one we had beforehand. But there are probably aspects that we can add or improve.

In our view, some aspects of the 2012-2013 reform were positive. We do not just want to discard what was done, but we want to keep and improve some aspects of the reform that seem to have been positive.

● (1605)

Mr. Pat Finnigan: Thank you.

During our east coast tour a month ago, we stopped in Miramichi, where we spoke about the situation of indigenous people. A lot of change has taken place in indigenous communities since the 1977 bill. We heard testimonies from many people who were very involved and who had life experience with this. They have always lived in these regions. They would like to be consulted more on scientific aspects. They would like their experience to be considered. They currently feel excluded.

Are we going to make commitments to the indigenous communities to involve them more directly in the new bill.

Hon. Dominic LeBlanc: Mr. Chair, the simple answer to that question is yes.

I had the privilege of meeting with my colleague from Miramichi—Grand Lake at the Fisherman Pow Wow on July 1, 2016. The national chief of the Assembly of First Nations was also there, and we had the opportunity to speak with him. Other leaders from the region's indigenous community were also in attendance.

My colleague is absolutely right when he says that these people want to be included in the discussion. They have ideas that inspired me. I saw this in Bella Bella, where I was on the weekend, with the Heiltsuk community in the Central Coast region of British Columbia. People are greatly concerned about environmental protection and are working to manage marine resources responsibly.

The minister has already had discussions with some national organizations that represent indigenous people. It is an ongoing discussion, and I hope that these people will also benefit from the opportunity that your committee will give them. We will be very present during consultations with them.

Mr. Pat Finnigan: I would like to quickly address another topic.

I am also a farmer. There are a lot of issues with this new bill. As you have noted, there are often small drainage canals on the lands in my region. If we see fish, it becomes a waterway that will go to Miramichi, for example.

Are we going to work with farmers to assure them that producers will not lose their agricultural production or the lands they work?

Hon. Dominic LeBlanc: Again, the answer is yes. We understand the perfectly reasonable concerns of farmers about this. We have all heard stories of the past. People felt then that common sense did not prevail.

So we encourage you to speak up. We will listen to the concerns to make sure that there is strong protection for fish habitats and that there are no unintended consequences, like cancelling a country music festival in Saskatchewan. If a decision is made to cancel a country music festival in Saskatchewan, it should not be done using the Fisheries Act.

[*English*]

The Chair: Thank you, Minister.

Now we go to the official opposition, Mr. Doherty, for seven minutes, please.

Mr. Todd Doherty: Thank you, Mr. Chair, and thank you to the minister.

I'll ask you to be very concise with your answers, if I may, because our time is short.

Minister, how much value do you put on the work this committee is doing?

Hon. Dominic LeBlanc: A great deal.

Mr. Todd Doherty: The reason I ask you is that we've been given such a short timeline to do a study of the Fisheries Act, and by your own words you have stressed the importance of this Fisheries Act review. Members on this side of the floor have asked time and again to go back to you and the Minister of Transport to get more time so that we can truly do consultations.

On October 18, you made the announcement of online consultations, and now you sit here and tell us you are consulting with first nations, which I think is the right way of doing it, and meeting face to face, which is what we've asked for in this committee and it has been voted down. Then you say that if we want the information, you'll share some of it with us, but not all of it. Why not all? What is the time frame for your giving us that information?

● (1610)

Hon. Dominic LeBlanc: Mr. Doherty, perhaps you misunderstood. I said we'd be happy to share all of that information, and I also indicated we'd share it at a time and in a way that the committee finds the most appropriate. We're in your hands.

Mr. Todd Doherty: With your being here, Minister Leblanc, do you not think that we should do a true consultation, rather than just a short time frame and rush this review?

Hon. Dominic LeBlanc: It shouldn't surprise you, Mr. Doherty, that I wouldn't accept the premise of your question, that you can't do a thorough and appropriate consultation—

Mr. Todd Doherty: In months?

Hon. Dominic LeBlanc: —and do so expeditiously. I recognize that the time frame is not unlimited, but I also recognize that Canadians I have heard from and our government has heard from were increasingly unhappy and concerned about what was perceived as the weakening of these protections. Provinces—

Mr. Todd Doherty: Monsieur Leblanc, I'm just asking you about the time frame, just short and sweet. Do you not think that this committee should have more time to study this?

Hon. Dominic LeBlanc: I wouldn't propose to dictate to a committee how much time to take for a study and what particular issue to study. I wrote to the committee giving you an indication of what, as a government, we feel is a responsible time frame in order... and let's understand something. Once we get a report from your committee, I hope that we can draft legislation. I will undertake to do that as quickly as I can through the cabinet approval process, which requires some time, but we will respond....

Mr. Doherty, I didn't interrupt your question. Let me finish the answer.

Mr. Todd Doherty: Short and sweet, I only have a short time.

Hon. Dominic LeBlanc: You'll have a second round, and I'm happy to come back another time that's convenient.

My only point would be that we are going to draft legislation. We will undertake to respond to your committee's report and not wait 120 days, or the maximum time—

Mr. Todd Doherty: It's my time, so I'd like to cut the minister off so we can get to a round of questioning, with all due respect.

The Chair: Mr. Doherty, the time is yours. You can do it, and the minister can certainly answer the way he chooses.

Mr. Todd Doherty: Minister Leblanc, I'm going to shift on this for you.

Mr. Todd Doherty: I want to talk really quickly about a moratorium. Time and again you've stood in the House, and we've had conversations about your government shifting to formalize a moratorium on the west coast. We know that there is an extreme number of foreign oil tankers on the eastern side. Mr. Irving seems quite confident that the energy east pipeline will be approved.

Minister, why is it okay for this to take place on the east coast and not the west coast? Have you done an economic study of the economic impact of a moratorium on the west coast?

Hon. Dominic LeBlanc: Obviously, I haven't had any conversations with Mr. Irving about what Mr. Doherty indicates he said. I take it at face value. If Mr. Doherty read that into the record it must be accurate. I haven't had those conversations, obviously.

We made a commitment to Canadians in the election campaign to have a moratorium on oil tankers on the northwest coast of British Columbia. We campaigned on that in a very open and transparent way. We won a majority government and 17 seats—

Mr. Todd Doherty: Will the same apply for the east coast? Will you consider a moratorium on the east coast then?

Hon. Dominic LeBlanc: Mr. Doherty, I'm endeavouring to answer your questions, but the constant interrupting does not make it very possible.

Mr. Todd Doherty: Please proceed.

Hon. Dominic LeBlanc: Thank you.

We made a very solemn commitment to Canadians that we would have a tanker moratorium. I know you're probably excited to learn the details of that, and I hope in the coming days we'll have more information for Canadians and British Columbians on exactly how that would become operational. The Minister of Transport obviously has the lead on that. I've been working with him in order to put in place the appropriate measures, and we are constantly interested in hearing from Canadians who have concerns about environmental protections and the best way we can safely navigate in Canadian waters.

The level of concern that allowed us to make that commitment to Canadians was specific to the northwest coast of British Columbia, but if your committee wants to make a recommendation for us to look at other measures to improve marine safety and ensure the protection of the environment, we would obviously welcome those suggestions.

● (1615)

Mr. Todd Doherty: Have you consulted with our provincial colleagues in British Columbia on the announcement in the coming days?

Hon. Dominic LeBlanc: I have ongoing conversations with the Government of British Columbia.

My counterpart Minister Letnick is somebody with whom I have ongoing conversations. I knew Premier Clark when she was an assistant in Ottawa, when I worked for Mr. Chrétien 20 years ago. We were young assistants on Parliament Hill together, and I have kept in touch with her and maintained a friendship with her for 20 years, and I'm in touch with her regularly, as well.

Mr. Todd Doherty: Do I have much more time?

The Chair: You have 30 seconds.

Mr. Todd Doherty: I'll end it at that.

The Chair: Duly noted.

Mr. Donnelly, please, you have seven minutes.

[*Translation*]

Mr. Fin Donnelly (Port Moody—Coquitlam, NDP): Thank you, Mr. Chair.

[*English*]

Thank you very much, Minister, and thank you to the parliamentary secretary and our esteemed officials for being here and answering our questions.

Minister, I'd like to start off with a few questions on the Fisheries Act, specifically section 35. Your party campaigned, as did ours, to restore the environmental protections immediately in your new term, specifically to restore the protections in section 35 of the Fisheries Act within...I'd take that to be within 100 days. That's what I think is "immediate". Obviously, that might be open to discretion.

Since the election, there have been 35 organizations, national environmental organizations, as well as individuals and first nations, that have written to the minister stating their concern. They want to reverse the changes that were made in 2012 under the Harper regime and that essentially gutted the Fisheries Act. There has been a petition from West Coast Environmental Law, with 10,000 signatures, essentially calling for that.

The government has been in office for over a year, and still we have the 2012, essentially gutted Fisheries Act in place. We've had a review of the Site C dam go through under that. We will see the Kinder Morgan application go through under that same regime. Now that we're involved in a consultation that is going to take us into next year, how do you see restoring the Fisheries Act, and specifically the HADD, as being "immediately"?

Hon. Dominic LeBlanc: Thank you, Mr. Donnelly, for your question. Maybe we have it right, if you think that we could have done it in 100 days and your colleague from the Conservative Party thinks we need to take more time, maybe if we land in the middle somewhere we have it right.

I do share your concern, Mr. Donnelly. I have taken note of what was an impressive list of scientists, indigenous leaders, and others who urged us to move very quickly. I was trying to express, perhaps imperfectly, that we share their concerns, and we don't see this as an interminable process or as something that should drag on and drag on. But we do believe that one of the reasons there was such a frustration with the changes that were made in 2012 and 2013 is precisely because they were made without any consultation, and frankly, through a parliamentary procedure that your party said wasn't very democratic or transparent, with which we agreed.

We're trying to find the happy medium in moving quickly and expeditiously. That's why we thought about things like the online portal. Over 5,000 people have visited that particular site since we launched it. The work your committee has generously undertaken to do should dovetail in a way such that we can move quickly. As I say, I'm undertaking not to wait the 120 days or whatever it is that the government would have to respond to a report. As a department, we're going to follow closely the work of your committee in order to respond as quickly as possible when we get your report and the recommendations.

I'll do something that is probably not wise. My hope is that in a perfect world we'd have legislation that we could table before the end of the spring session in 2017. There are reasons why that may get delayed, but it certainly wouldn't be my hope. I hope that as a department we can move quickly.

Then, Mr. Donnelly, we would again be in the hands of the House and parliamentarians. If we could find a way to have a quick debate at second reading in the House of Commons and send a bill to your committee for study and improvement, and if you find ways to improve our legislation, if you adduce evidence from people who have a better way to protect fish habitat, we remain open to that. I hope it's a collaborative process.

I recognize the frustration that people have, but as I said in response to Mr. Finnigan, we didn't want to just cut and paste what was there before, because there are a few elements of the reforms with which we agree. There are also, perhaps, ways to.... The Fisheries Act will not get opened up many times in a Parliament. It's quite rare. We want to do it and to try to do it as best we can. Hopefully, it will last for a generation if the previous one lasted for two.

● (1620)

Mr. Fin Donnelly: I think there are two issues at play here. One is the immediate restoration of the habitat protection. That's the HADD, the harmful alteration, disruption, and destruction of fish habitat prohibition. I think that's what Canadians want reversed. I think they find, as I do, that taking a year and a half to do that is unacceptable. Now we're in a process of not just looking at the HADD.

Minister, you mentioned that we're looking at concerns around the changes, improvements to the act, science and traditional ecological knowledge, future realities including climate change, and current penalties. I think there are also others. Those go well beyond looking at just the habitat protection.

That, I think, is the frustration. Even at this committee, I think we have asked what exactly we are looking at. From the government members, I've heard that we're looking just at habitat protections. However, what is on the website, what is opened up to Canadians, and what you have mentioned today at committee is far broader than that.

I share some of the concerns on this side that if you're going to open the Fisheries Act, which, as you've just mentioned and I agree, is one of the most fundamental pieces of legislation in this country when it comes to protecting fisheries, then you need adequate time. For instance, we've had over 80 people and organizations who have wanted to come to speak on this matter because of the broad nature of this, and not just on the habitat protections—which are of a critical nature—but on modernizing the act, etc. That is a different issue. In the meantime, we have major energy projects and other projects including projects going through municipalities that are being approved under the gutted Fisheries Act with those lessened habitat protections.

You have written to this committee essentially to direct us to look at the Fisheries Act. Can you clarify that what we're looking at is beyond the habitat protections? Could speak specifically to what you mean by modernizing the act?

The Chair: Sorry, Minister, to interrupt, but Mr. Donnelly is pretty much out of time.

I'm going to provide some flexibility here, Minister, if you could just provide a short response to that.

Hon. Dominic LeBlanc: Sure. Thank you, Mr. Chair.

I agree with Mr. Donnelly that restoring lost protections, which was the campaign commitment we made and the mandate instruction I have, is principally around restoring the habitat protections that were weakened. I think that was the flashpoint of the previous conversation. That's where we believe the most important work has to be done.

When I say “modernize” I mean how a modern habitat protection legislative framework is supposed to operate in 2017 as opposed to 1977.

I obviously don't want to disagree with you, Mr. Donnelly, but I didn't “direct” the committee. That was a word you used, and I would obviously disagree with that. I wrote to the committee asking if you would consider this, and I was very pleased that you accepted to do so. I wouldn't purport to direct the committee and I wouldn't purport to tell you what you should study and what you should report on. I look forward to your deliberations and share your focus on the habitat piece.

The Chair: Thank you.

Mr. Hardie, we're going to you for seven minutes, please.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Thank you very much.

Let's talk about modernization, then, and just keep going on that theme.

First, I would just like to confirm something, Minister. Some of my colleagues on the transportation committee came in with the attitude that the minister had already made up his mind, because in the mandate letter it just said to restore the protection, case closed. I understand that this is not the case, though. Your mind is not made up.

● (1625)

Hon. Dominic LeBlanc: Absolutely not. My mind is made up and our government's mind is made up, based on a commitment we made in the campaign and based on a platform on which we won a majority government—including 17 seats in your great province, Mr. Hardie, which made us very happy on election night.

Restoring lost protections is a commitment we hope and intend to honour. It's a legislative commitment, so obviously we need the support of parliamentarians, both in our House and next door in the Senate. I'm not naive as to the legislative process. However, I also come here with an open mind, and that's why I value so much the work you're going to do and other ways that Canadians can share their ideas, because we, I hope, can in 2017 arrive at a modern, responsible, and balanced way to protect fish and fish habitat, which Canadians care so deeply about.

I'm wide open to the suggestions your committee and other people will have as to how we can best do that. I'm also wide open to working collaboratively with you, once we get a bill that we present to the House and send through the normal parliamentary process for improvements.

Mr. Ken Hardie: Okay. Then, one of the things that I've heard—some of it through the witnesses we've had here and in the other committee and certainly people who have been speaking to me—is that in modernizing the act, they're looking for ways to empower themselves; “themselves” being the commercial fishers and the recreational stakeholders. They want to participate more in stock and habitat protection. Do you have any comments, any thoughts, on the direction we could go to do that?

Hon. Dominic LeBlanc: Mr. Hardie, you're absolutely right. I've heard some of those same desires on my travels across the country, including in your province. The recreational fisheries sector in your province is well organized, well structured, and has a long-standing tradition of partnership with our department. The commercial fishery is the same, as are indigenous groups.

These are the people whose livelihoods and whose passion depends on the success and the health of these fish stocks. They have a very real, personal interest in getting it right. They also have, in the case of long-time commercial fishers or sports fishers or certainly indigenous groups, a vast body of knowledge of what works, what doesn't work, where has it been successful in the past, and where perhaps improvements could have been made.

We welcome any chance to partner with these groups. If we're going to get it right, it's because these groups believe that we found the right balance and the best way to ensure the best possible protection.

Laws and the respect of laws often depend on the confidence people have in those laws. One of the things I should share with your committee, Mr. Chair, is that the successive budget cuts at the Department of Fisheries and Oceans over a number of years have put us in the position—and I'm seeking to rectify this with my colleagues at the Treasury Board and the Minister of Finance—where even if we had a better, more robust legislative framework, as I hope we get to, we would need increased resources around habitat protection, monitoring, and enforcement.

I talked about that in June when Mr. Garneau and I had a brief announcement about how we were hoping to proceed. However, I'm also conscious that the legislative text is one thing, but we need both in our department and other government agencies. Who better to partner with us than the people whose livelihoods depend on these resources? We would have a much higher degree of integration and collaboration and, frankly, boots on the ground in many cases to do the monitoring, to do the enforcement.

You can have the best laws on the books, but if nobody ever gets charged because you don't have the ability to investigate and prosecute offences, the laws are illusory, and people are left with a false sense that you've done something. That's certainly not what we're intending to do.

Mr. Ken Hardie: Great. Speaking of modernizing habitat protection, could you talk about consideration? I'll repeat this question to the staff when we have a chance to chat with them, but give us your own thoughts. The impact of aquaculture on fish habitat is a big issue, a big question that remains unresolved, mostly due to the lack of science, especially on the west coast. My east coast folks can speak for themselves on this one. What are your thoughts on this?

● (1630)

Hon. Dominic LeBlanc: Mr. Hardie, you're absolutely right. You and Mr. Donnelly and Mr. Doherty and others would know your provinces better than I would, but certainly from my perspective, there is a heightened public concern around the potential impact of aquaculture on wild fish stocks. We should not be naive about that.

I know Mr. Donnelly has strongly held views on that, and he has legislation before the House of Commons now, which was debated last evening, I think, for the first time.

We recognize, as you said, Mr. Hardie, also that part of the reassurance for Canadians, who understandably are concerned, is that we have the most robust, transparent, publicly accessible, scientific, peer-reviewed information available to Canadians.

I shared with our colleagues in the Senate yesterday. It has done a report on the aquaculture industry in its fisheries committee, which I thought was quite instructive. I had the privilege of going to the Senate question period yesterday. In answer to some questions from our colleagues, I have told the Senate committee that we would be open to looking at the possibility of a national aquaculture act, for example. How that works and in what capacity obviously remains.... There's a lot of work to be done and we're not on the eve of doing that, but I'm prepared to begin the conversation, including with provinces and the industry and scientific groups, to see how that might work. Many of them have advocated for that. We would, obviously, at some future point want to come back before this committee, but that might be part of the medium- or long-term answer too.

The Chair: Thank you, Mr. Hardie.

That concludes the first round of questioning. There's something I neglected to do at the beginning, and I will do it now. As you know, we were delayed by approximately 10 minutes for good reason. We paid tribute to the athletes of the Olympics and Paralympics. Because of that, I am seeking unanimous consent to extend this meeting by 10 minutes to 5:40 p.m. eastern time.

Some hon. members: Agreed.

The Chair: We will be adjourned in time to get to the votes, which are just down the hall, including the vote on my national seal products day bill, which you have just witnessed as an unsolicited comment and promotion for my own bill.

Yes, Mr. Minister.

Hon. Dominic LeBlanc: I have an event in Montreal so I'm going to miss the great privilege of voting for that bill, but I want you to know, Mr. Chair, that Canadians are pleased that legislation's being voted on tonight.

The Chair: Thank you for that. Thank you also for that promotion. That's very good. I'm sorry you couldn't be there.

Now we go to Mr. Sopuck, for five minutes, please.

Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC): I was really disappointed in the testimony from the minister and the parliamentary secretary for a couple of reasons because the words "farmer" and "municipalities" were not mentioned in either of your testimonies.

When I heard the latest comments on agriculture and farming, farmers being charged under the Fisheries Act is something I think they should be worried about. I know the farm groups—and I'm very close to all of them across the country—are very concerned about what the government is possibly doing to the Fisheries Act.

I should make the point as well, and I'm going to go on the record, that this notion that there are no habitat protections in our new Fisheries Act is completely disingenuous. The act says in section 35 that:

> No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery.

Serious harm is defined as "the death of fish or any permanent alteration to, or destruction of, fish habitat", with fish habitat defined a certain way. To suggest there are no habitat protections in the revised Fisheries Act is not quite correct. I would quote from one of the officials in the room here, Mr. Kevin Stringer, who on November 6, 2012, when questioned in our committee regarding habitat said:

> Yes, that's correct. That's still the case under section 35, because if you look at the definition of serious harm, which is in section 2, serious harm to fish is defined as the death of the fish or the permanent alteration or destruction of habitat.

It's quite clear that at the official level in the department there was no suggestion that there were no habitat provisions in the act whatsoever. The habitat provisions in the act are still there.

I have a question. What quantitative evidence is there, and when I say quantitative evidence I mean values and numbers, that suggests that the alterations, the changes, to the Fisheries Act had any measurable effect on any fish population or community in Canada?

I'm specifically asking for numbers. What effect did the changes have on fisheries populations in Canada?

● (1635)

Hon. Dominic LeBlanc: Obviously we share the concerns and we understand the concerns. We're certainly not seeking to diminish the concerns of the agricultural sector. I have colleagues in my caucus—my colleague, Lawrence MacAulay, and others—who have been quite vocal about understanding the legitimate concerns of producers and agricultural businesses across the country, so I hope your committee will consider that and will hear from these groups. We would welcome an opportunity to benefit from your advice on how we can do that.

I wouldn't have suggested—I hope you didn't misunderstand me—that there were no habitat protections—

Mr. Robert Sopuck: You did.

Hon. Dominic LeBlanc: No. That wasn't my word. I think what I would have said is that we think we can strengthen them, improve them, modernize them, restore some protections that were lost. We can discuss the semantics.

I think we all can do a better job of improving the legislation. Mr. Sopuck referenced some comments from Mr. Stringer. We're really lucky that he's here today, and he might be in a position to speak to that, but more importantly because your question also, Mr. Sopuck, is very good around what are the specific examples where these changes may have had an impact, I think we can all agree that various fish stocks run into various difficult circumstances for various reasons. Habitat protections—

Mr. Robert Sopuck: As you know, Minister, I'm a fisheries biologist. I've been a fisheries biologist for 40 years, so the notion that fish populations fluctuate is something I'm quite familiar with. I asked other witnesses in the previous meeting to give me some evidence about any quantitative evidence of harm that the new act had on any fish community, and nobody could. I gather from the answer that nobody has any.

Hon. Dominic LeBlanc: Mr. Sopuck, the good news is that Mr. Stringer can do that for you right now.

Mr. Robert Sopuck: I want a quantitative estimate of any harm that may have been done by the changes we made to the Fisheries Act.

Mr. Kevin Stringer (Associate Deputy Minister, Department of Fisheries and Oceans): I appreciate that.

We don't have specific data quantitatively in terms of impacts. If you're looking at modernized provisions, it would be nice to have the regulatory authority but also the resources to do that.

We have evidence in some of the reductions that we've seen in the past few years. The amount of engagement, the referrals we have under the new act, the requests for information, the requests for our engagement, the letters of advice we've sent out, the authorizations we've provided, the charges that have been brought forward have all decreased.

Mr. Robert Sopuck: With all due respect, that's not what I asked. I'm asking about the fish themselves. Obviously, from both the answers to my question, there is no evidence whatsoever that the changes we brought to the Fisheries Act made any material difference negatively to any fish community.

The Chair: Mr. Sopuck, I'm going to ask you to close very quickly.

Go ahead.

Mr. Robert Sopuck: Did the department do any analysis of the changes to the Fisheries Act?

They had written a report with our government or the new government. I would like to know if a report was written, who wrote that report, and can we have that person testify before the committee? We're going to take the Liberal government at its word, because in the last election campaign, it was committed to "eliminate all regulations that censor government scientists, giving them the freedom to speak about their work."

The Chair: Thank you.

Very quickly, Minister, go ahead.

Hon. Dominic LeBlanc: Thank you, Mr. Chair.

There are about five or six questions.

I would hope, Mr. Sopuck, your enthusiasm for open and transparent science would allow you to ask that question to the scientific people who will appear before the committee. Ask them if they feel less muzzled today than they did two years ago. I think that would be an instructive line of questioning, and I would encourage you to do so.

The Chair: Thank you, Minister.

Now we go to Ms. Jordan, for five minutes, please.

Mrs. Bernadette Jordan (South Shore—St. Margarets, Lib.): Thank you, Mr. Chair.

I'd like to thank the minister for appearing today, although not only you. This is the third time in nine months the minister has appeared before this committee. I appreciate the department being willing to come to speak to us. I know that's been a long time coming.

Moving on to our questions, in our meeting on Monday we heard that greater data-sharing between DFO and partner organizations will allow for greater understanding of the status of our fish stocks. Given that the mandate letter says that "Government and its information should be open by default", will the government continue to make more of DFO's information available to foster the greater understanding of fisheries and the oceans?

● (1640)

Hon. Dominic LeBlanc: Ms. Jordan, the answer is yes.

I know a number of members of this committee had a chance to meet one of the leading environmental groups, Oceana. They had a conference in Ottawa last week, I think. I had the privilege of speaking at the opening of the session on Wednesday, a week ago today. I undertook to make scientific information and data much more available, and available in a user-friendly way. Not all of us have the advantage of a detailed scientific background.

I think Canadians share a huge concern that governments and everyone involved need to do the best they can to protect fish and fish habitat. They want to understand the areas of concern and what we can do better. It starts by making scientific and other analyses open and available by default.

I announced that we would be doing exactly that. We'd be putting out a report card, which this group asked our department to do, across 159 species. We're also preparing quite quickly to pull the historical data as well, in other words, go backwards and also make that available. I committed to doing it once a year, but if we're in a position to do so semi-annually, obviously, we'd be happy to do so. We're making the best efforts we can to open up more scientific data, but we recognize more work can be done.

After you hear from witnesses or from Canadians, if your committee has suggestions as to the specific areas of concern in terms of access to this information, again, we would.... It doesn't have to be a formal recommendation. If colleagues have suggestions for me, I'll work with the department to alleviate these concerns and raise our game as best we possibly can.

One of the concerns we have is that over the last five years the department suffered a series of budget cuts, $35 million, which led to almost 1,100 positions being eliminated. If you think about 1,100 positions over the last five years, many of them were front-line enforcement people, habitat protection people, and scientific people. We're also working within the financial structure we have to remedy that, and that will take us to a better place, we hope.

Mrs. Bernadette Jordan: That was actually my next question. We've heard that as an overarching problem. This is our fourth study, and we've heard that the cuts to DFO, both in science and enforcement, have been a real detriment to the boots-on-the-ground people. We know that there's been an investment in science. We're happy to see that, and I really hope that we continue on and do see that investment enforcement because it's critical in terms of how we move forward with DFO.

One of the other things that we heard on Monday about the changes to the Fisheries Act outlined that the habitat protection regime had moved more to a fisheries protection regime. Do you see the distinction between habitat protection and fisheries protection, and should the Fisheries Act be focused more on one than the other?

Hon. Dominic LeBlanc: Again, I'll offer a very quick comment, Ms. Jordan, and perhaps Mr. Stringer or Philippe Morel can add something.

I do recognize that it is a significant but precise distinction. I wouldn't want to offer you an uninformed view that would lead to a misunderstanding.

I think what Canadians expect from their government is to have the most effective, the most robust, and as you said, the most appropriately resourced structures to ensure that those who do harm fish or fish habitat face the consequences, but they also expect that we have the appropriate prevention measures in place to try to alleviate the worst-case scenario where there is some long-term damage.

In terms of the distinction between the two, I don't know if Mr. Stringer or Mr. Morel

[*Translation*]

would have any comments to add.

● (1645)

[*English*]

Mr. Kevin Stringer: I'll add to it.

Thanks, Minister.

The Chair: Very quickly, please.

Mr. Kevin Stringer: In the Fisheries Act, there are five threats to fisheries that are addressed. Pollution is under section 36 and dealt with by Environment Canada. For overfishing, we have the fisheries management sections. For aquatic evasive species, we have the enabling of a regulation there. Fish passage is addressed in sections 20 to 22, and then there's habitat, which is absolutely critical. The section 35 provision speaks to fisheries, but really, that's where we need the habitat protected. There are elements in the Fisheries Act that address those other things.

The Chair: Thank you very much.

We now go to Mr. Arnold for five minutes, please.

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Thank you, Mr. Chair.

I thank the minister and the parliamentary secretary for being here today.

First of all, I'd like to make a statement to correct a statement made by the member across the way about the vote that took place regarding the deadline for this. I have asked personally for this deadline to be extended. I would not have voted in favour of, and it would not have been a unanimous vote in favour of the date that was stated. I want to make that clarification. The vote may have been unanimous on one side of this committee, but not entirely.

Mr. Minister, back on October 18 there was a press release that went out from your ministry saying, “The feedback heard through this consultation will be provided to the Parliamentary Standing Committee on Fisheries and Oceans. This Committee will consider all feedback as part of its recommendations for changes to the Fisheries Act”.

Is that correct?

Hon. Dominic LeBlanc: Sure.

Mr. Arnold, we're wide open to providing you the information you need in the way that you find most useful. We would welcome your suggestions.

Mr. Mel Arnold: Thank you.

What members of the fisheries committee were notified of this commitment by you made on behalf of the committee prior to the news release going out?

Hon. Dominic LeBlanc: I'm not sure I follow you're question. I'm sorry.

Mr. Mel Arnold: Were any of the committee members notified that this was a commitment of the committee made by you on our behalf?

Hon. Dominic LeBlanc: I can't speak to any personal involvement I had in that. It's an interesting question. I can undertake to see if there were conversations, but I'm going by memory. I speak to the people in front of you at the table many times a day on a whole bunch of issues. I don't have a recollection of that. If it's a source of great concern, we can provide some better information if, in fact, that exists.

Mr. Mel Arnold: What authority did you have as minister to make this commitment that the committee would consider all feedback as part of the recommendations?

Hon. Dominic LeBlanc: I'll offer a quick comment, and the deputy, I think, will add something.

I wouldn't assume that a committee as enlightened as yours doing work on something as important as the Fisheries Act wouldn't consider all the information you have. I just assume that parliamentary committees do a thorough and detailed analysis of all the information, and you decide what information you would like to follow or not. The deputy may have something specific to add.

Catherine.

Ms. Catherine Blewett (Deputy Minister, Department of Fisheries and Oceans): Thank you, Minister.

What I'd like to offer is that potentially the wording in that release, frankly, was not as respectful of the committee as it might have been. It should have probably said the committee “may” as opposed to “will”. My apologies, I take responsibility for that.

That's a departmental communications tool, so for that I'm sorry. It wouldn't in any way ever want to demand or expect anything of the committee, so our apologies. I would say it should be “may”, if you're interested.

Mr. Mel Arnold: We also note that the press release was revised and that section was completely removed from there. What efforts have been made to inform the public that the information or that feedback may not be provided or may not be considered by the committee?

Ms. Catherine Blewett: If you don't mind, I'll follow up on that. It has been picked up on, but for sure we'll make that correction.

Mr. Mel Arnold: Thank you.

I'll split my remaining time with Mr. Doherty.

Mr. Todd Doherty: I'll direct my comments to the minister.

Minister, your government has announced a carbon tax. Has there been an economic impact study on how that carbon tax would impact the fisheries or those people, those friends and families, who depend on the fisheries for their livelihoods?

● (1650)

Hon. Dominic LeBlanc: Thank you, Mr. Chair.

Mr. Doherty, as you know, we made a clear commitment to Canadians in the election that we think there should be a price on pollution. We're working in a constructive—

Mr. Todd Doherty: Was there an economic impact study on that?

Hon. Dominic LeBlanc: Again, I'd be happy to get precise information and get back to you on that. That would be a question—

Mr. Todd Doherty: Thank you, Mr. Minister.

Hon. Dominic LeBlanc: Mr. Doherty, take advantage—

Mr. Todd Doherty: Mr. Chair, I'm putting forward a motion:

That pursuant to Standing Order 108(2), the Standing Committee on Fisheries and Oceans conduct a pre-budget study on the effects that the "price on carbon" announced by the Prime Minister on October 3rd, 2016 would have on the aquaculture sector in Canada; that this study be comprised of no less than four meetings to be held at the Committee's earliest convenience; that departmental officials from Fisheries and Oceans Canada be in attendance for at least one meeting; that the Committee report its findings and recommendations to the House of Commons.

The Chair: It's in order. We had the appropriate notice beforehand. You did bring this to the committee. We now have it being distributed to all committee members once again, if you don't already have it.

I'll open up the floor for a discussion on that.

Mr. Arnold.

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

I fully support the motion. It's going to have huge impact. I've recently made trips out to the Maritimes and spoken with fishermen there. Many of them were totally unaware of the impacts of the carbon tax. To be honest, they went through the roof when they found out what it was going to cost them in extra fuel costs.

The Chair: Okay.

Is there any more comment on this?

Mr. Doherty.

Mr. Todd Doherty: Mr. Chair, I think we should just go to the vote.

The Chair: Indeed, we will. Seeing that the debate is exhausted, we will now go to the vote.

(Motion negatived)

The Chair: We will now proceed.

Mr. Doherty, you have 30 seconds left in your questioning.

Mr. Todd Doherty: To the minister and to the parliamentary secretary, with all due respect, I do want to offer that we deeply respect what you do and your offices, and you have been very kind in your time, in the short time that I've been on this file. Although we are combative at times or the questioning seems combative, we do have deep respect for both of you.

Hon. Dominic LeBlanc: I appreciate that, Mr. Doherty. With that sentiment, we're ahead of ourselves. It's not Valentine's Day yet; it was Halloween this week. However, that sentiment is mutual. I've enjoyed our conversations.

What's fun about this portfolio is that there are interactions on all coasts of Canada. I'm learning about the Great Lakes fisheries. I'm learning from colleagues on all sides of the House. It's an exciting thing to discover, and I look forward to working with all of you as well.

The Chair: There we go. I'd love to say we can end on that note, but I suspect we will not. We now have to proceed.

Mr. McDonald, you have five minutes, please.

Mr. Ken McDonald: Thank you, Mr. Chair, and thank you to the minister and parliamentary secretary and staff for coming here today.

Minister, I wonder if you could help clarify something. There has been a lot of discussion, and even here today, about extending the time allowed to review the changes that may take place under the act, and the consultation process, and whatnot. I do know, and you can correct me if I'm wrong, that you were a parliamentarian here when the last revision came through under section 35. Can you recall or inform the committee here today about how much consultation or how much review time, or what kind of time was available for the previous review of the act, in 2012?

Hon. Dominic LeBlanc: Thank you, Mr. McDonald, for that question.

Your chair was also a member of Parliament, as were a number of other colleagues at the table, when these changes were done in 2012 and 2013. To say that there was a review of the Fisheries Act changes, I think would be a pretty gross exaggeration. These were measures that were largely buried in an omnibus budget bill that was hundreds and hundreds of pages long.

We didn't think that this was the right way and that sentiment was shared by a number of parliamentarians in the House of Commons. I think to be fair, the New Democrats, the Bloc Québécois, Ms. May, the Green Party, became very concerned. I think it was Ms. May, in fact, who had us voting for 38 hours or something on some of these bills to draw the attention of Canadians to this abuse of process around omnibus budget bills suddenly changing fundamental protections of the Fisheries Act that are important, as you will see and as we are seeing, to many Canadians.

That's why we thought to ask your committee, and why we were so happy that you accepted, to undertake this work and then make deliberate amendments to the Fisheries Act in a transparent way, going through the regular parliamentary process. We'll hear from colleagues at every stage of the debate. The ultimate bill that we will table in the House of Commons, we hope and believe would be referred to this committee and you will then decide in your own wisdom how you wish to proceed with that legislation, from whom you wish to hear. We would encourage you to hear from a variety of voices and to try to not leave anybody out who feels strongly about this, on any side of the question.

The best way, we believe, to build legislation that enjoys a high level of public confidence is to do so in a transparent and democratic way. It doesn't mean that we always agree on it. Democracy begins and ends with a vote, but the process in between can be collegial and informative and transparent and open. That's certainly what we're hoping for.

● (1655)

Mr. Ken McDonald: I'll take that lengthy answer as being “none”.

Minister, since 2012, municipalities in my riding have expressed concerns that during construction and development in their communities, habitat management has become self-regulated. That responsibility has been downloaded to municipalities. What are your thoughts on that issue?

Hon. Dominic LeBlanc: You're right. It's not only in your great riding of Avalon that elected municipal leaders, and in some cases provincial leaders, would feel this sense of downloading. I've seen it in my province. Serge and I represent New Brunswick constituencies, and we hear the same thing from municipal leaders.

As I said, perhaps in response to your colleague, Ms. Jordan, the serious layers of reductions at the Department of Fisheries and Oceans has meant that often it was—and back to Mr. Finnigan's question—community groups, volunteer groups, NGOs, environmental groups, municipal leaders, who stepped in to try to provide monitoring and perhaps shed some light on practices they thought may have been negative. They tried to get the responsible public authorities to take their responsibility.

In the case of our department, the deputy tells me that we went from 63 offices doing fisheries habitat protection down to 16. Don't be surprised if the people in Avalon found that it was harder to get to one of those offices. Therefore, goodwill citizens and other community leaders have stepped in. That's why if we get this right and build public confidence, and if we are successful in convincing our cabinet colleagues and others for a better allocation of resources to support this work, hopefully people won't have the sense that they're having stuff downloaded to them.

That certainly isn't our intention, but we recognize that we're some distance away from having solved that yet.

The Chair: Thank you, Mr. McDonald.

Mr. Donnelly, you have three minutes, please.

Mr. Fin Donnelly: Thank you, Mr. Chair.

Minister, the Fisheries Act gives you the authority to manage the fishery, not only for conservation and the sustainability of fish but also in the pursuit of social and economic objectives.

The Canadian Independent Fish Harvester's Federation has a concern. In the absence of a clear statement in the legislation, they feel it creates some ambiguity regarding the authority of the minister and whether the act implements the full scope of the government's jurisdiction and power in that regard.

I'm wondering, in the short time that I have, if you could comment about the specifics of putting that in the legislation.

Hon. Dominic LeBlanc: I have heard from some of these same representatives of independent harvesters that I'm sure you have. They've shared that concern with me. I think, from your question, that you probably have a similar view to mine, that the economic and social and cultural livelihoods of many communities up and down all the coasts depend on the successful management of these resources.

These are the men and women who are on the front line of any mismanagement decisions or any lack of rigorous scientific advice or whatever process leads to an unfortunate decision. They're often the first people to face the consequences. Many of them are in a situation economically where they don't have a whole series of other alternatives to support their families or to grow their communities.

I share that view, and I would, again, welcome the advice of the committee on how you think we can square that circle. For a bunch of reasons, I am attached to things like the owner-operator principle and fleet separation. These are ideas that I hear about from the fishers and harvesters in my own riding and from colleagues of mine at the table here and elsewhere, but I'll be governed by the committee's view on these issues. If you have specific suggestions of how we can better reflect some of these values in the act, I would welcome them.

● (1700)

Mr. Fin Donnelly: I have a short question with the remaining time. Since the Fisheries Act changes of 2012, have there been any private prosecutions that you're aware of? Has it been tested in court at all?

Hon. Dominic LeBlanc: My understanding, Mr. Donnelly, is no.

In a discussion yesterday with the senior officials—some of whom are with me today—I wondered how various appeal courts had looked at certain sections of the new act or of the changes, and if they had been tested at various courts of appeal. I was surprised to learn that they hadn't been. This speaks, frankly, to the lack of prosecutorial capacity, either because the legislation was drafted in a way that lawyers didn't believe they could successfully lay a charge, and/or the cuts and reductions at the department for monitoring and enforcement were such that we didn't have that capacity, or a combination of all those factors. I think the answer, Mr. Donnelly, is no.

However, if we find—and we'll triple-check that—that it is not a completely accurate answer, we'd be happy to get back to you. If you don't hear from us, it's because the answer is no.

The Chair: That being said, as is tradition here, since we've completed two rounds, we'll go back to the format of the first round. We'll give seven minutes to each of the three parties. We're going to start with the governing party and Mr. Morrissey. You have seven minutes, please.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Mr. Chair. I thought I would have three minutes.

My question is to the minister. It was stated by a previous witness that changes to section 35 of the Fisheries Act contained unscientific language that allowed for overly broad interpretation. Indeed, in your own comments, Minister, you referenced confusion on what is protected now as a result of that.

Could you elaborate on that a bit more? Was there a consultation when the process took place? Is this ambiguous language that is in there leading to confusion on what is protected and what is not?

Hon. Dominic LeBlanc: That question is a very accurate one in the sense that we believe the scope and the breadth of the protections were narrowed. Ambiguous language in a statute is often resolved or clarified by various court decisions. As I said, there haven't been enough of these court decisions to provide that clarity. We're hoping that Parliament will change the legislation to provide a greater degree of clarity.

Section 35, which concerns serious harm to fish, moved from what had previously been a broad prohibition of activities that would result in the harmful alteration, disruption, or destruction of fish habitat. Now, in our view, the prohibition is scoped down and applies to activities that would result in serious harm to fish that are part of commercial, recreational, or aboriginal fisheries, or fish that support those fisheries.

This change effectively, in our view, narrowed the scope of the application of section 35 and the number of species, or even, as I said in my opening comments, Mr. Morrissey, the bodies of water that might be subject to the provisions of this act. It is a technical and important question.

I don't know if Mr. Stringer could briefly add something. If you want more information, we'd be happy to get back to you.

Mr. Kevin Stringer: I think there are three areas in that section 35 that have led to confusion, questions, and uncertainty. The first one is “commercial, recreational or Aboriginal fishery”, because previously it was just everything. Now it is “commercial, recreational or Aboriginal fishery”. What exactly does that mean? There are definitions in the act, but we don't have the jurisprudence to say exactly what that means. Does it have to be actively fished or is it subject to a licence, etc.?

The second one is “fish that support such a fishery”. Is that just the prey? Is it two or three trophic levels down? What exactly is meant by that?

The third is “serious harm”. Serious harm is defined as the death of the fish, which is pretty certain, or permanent harm or destruction of habitat. What is permanent alteration of habitat as opposed to temporary? How permanent do you have to be to get to permanent?

There have been questions, whereas the previous section 35 was pretty blunt for any harmful alteration, disruption, or destruction of habitat anywhere. You have those three sets of issues trying to get at fisheries in there, but it does create some uncertainty.

● (1705)

Mr. Robert Morrissey: My next question leads from that because of the confusion in that area, and I have to speak for the farmers that I represent, as well. This is where you get the concern coming from the farm community at some of the confusion in this section around the waterways that they sometimes alter or change. You get more of that from the farm community. Could you comment on that, Minister?

Hon. Dominic LeBlanc: Mr. Morrissey, you're absolutely right. In my own constituency—and you have a long experience on Prince Edward Island with the agricultural community—we've heard their concerns. We share their concerns. We're seeking to protect fish and fish habitat. We're not seeking to provide inadvertently some undue regulatory or legislative regime on agricultural practices.

There may be the very rare circumstances where there's an overlap or where there's an intersection. I've heard anecdotal examples, we all have, and sometimes it might be a lack of judgment or common sense on the part of a particular enforcement officer or person who perhaps didn't have what he or she thought was the sufficient authority to come up with an appropriate solution. I mean some of it can be good faith human error or human judgment errors, but in some cases, if there's a legislative provision that would allow something that would appear completely unreasonable to take shape, then that would not be something that we would condone or we would want to see.

I think we would benefit, and I said that I thought this in response to Mr. Sopuck, from your committee's advice on how exactly we square that circle. You have experience, and Mr. Finnigan ran a business called Mr. Tomato in New Brunswick for a long time, including in my constituency. There is a lot of experience at this table with respect to agricultural issues. We would benefit from your wisdom on that, as well.

Mr. Robert Morrissey: Mr. Minister, you raised a subject that is near and dear to a lot of our hearts: the owner-operator policy. You referenced it. It's part of the Fisheries Act. We're looking at habitat, but I do think in some cases owner-operator policy does have an impact on habitat, and a significant one. Could you elaborate on that a bit more?

Hon. Dominic LeBlanc: Sure. I just referenced it in respect to a question from Mr. Donnelly. The independent fish harvesters, some of whom I met last week, raised it with me. That was one of the main things they wanted to raise.

It perhaps rejoins a question that Mr. McDonald had asked. The men and women whose livelihoods and whose economic capacity support their families and their communities are the ones most affected in a very direct way if there are bad decisions, bad laws, and bad policies that lead to a reduction in their capacity to sustainably prosecute their fisheries.

These people will have views on what is the appropriate way to preserve and protect fish habitat. They certainly have views that everybody at this table has heard around fisheries management issues. They're more than happy to offer advice on different management regimes. Their continued and formalized capacity to contribute to the long-term viability of their industry, including the protection of fish habitat, will make the economy and the ecology of the country a lot better, but that's the personal view that I have from conversations with a number of these particular people whom many of you meet regularly.

Again, as a perfect example, Mr. Morrissey, if your committee has a view on that, if witnesses talk about that and you think there's an intersection point, then we would benefit from that advice, but it's an ongoing conversation that goes back 40 years.

● (1710)

The Chair: Thank you, Mr. Morrissey.

I understand you're splitting your time, Mr. Sopuck. I'll let you know when your three and a half minutes are up and I assume you're going to Mr. Arnold after.

Mr. Robert Sopuck: Yes.

I want to be really clear. I represent an agricultural constituency the size of Nova Scotia. The agricultural community was basically traumatized by what happened in the early 2000s and the greatly increased fisheries enforcement. To have fisheries officers show up at farmer meetings in flak jackets and sidearms was completely ridiculous. The changes we made to the Fisheries Act were of great relief to the agricultural community, and we are bringing a number of farm groups to the table that the committee will hear.

I'm probably the longest-serving member. I've been on the fisheries committee since 2010—since I became an MP—so I think Mr. Stringer and I are probably the longest serving. I've been on continuously since I became an MP, so it's six straight years. I can assure you that there was lots of testimony in 2012, so to suggest there was no consultation or testimony when we made the changes to the Fisheries Act is not quite right.

Seeing as I'm not going to get any numbers in terms of the effect that our changes had on actual fish populations.... You talk a lot about how many enforcement actions there were, or budgets, or staff, or this or that, but not a word about effect on fish. I am a simple man so I think this is all about fish, but maybe that's too simplistic. Let me give you some numbers from the changes to the Fisheries Act. Due to the changes that were made to the Fisheries Act, we were now, as a government, encouraged and enabled to create partnerships with groups and that's how we created the recreational fisheries conservation partnerships program. I want to thank you, Minister, for retaining the program so far and we will be pushing to keep it retained.

I'm going to go back to the sage of the fisheries committee's staff, Mr. Kevin Stringer, again, who on February 24, 2015, gave us some metrics about what the changes to our Fisheries Act actually did. In terms of the RFCPP, Mr. Stringer said:

> ...$3.1 million was spent. We had 74 different organizations, undertook 94 habitat restoration projects. In addition, with that $3.1 million we leveraged an additional $7.0 million that was brought to those same projects from partners. That's the 1:1.25 leverage ratio.
>
> There were 380 partners involved in those 94 projects. There were 1,700 volunteers...2.4 million square metres and 2,000 linear kilometres of recreational fisheries habitat were restored....

Those are the metrics and those are the kinds of projects that were enabled under the changes we made to the Fisheries Act.

I'm going to ask a fairly friendly question here. Minister, I would hope that you would be impressed with that program and impressed with what the recreational angling community has done. I belong to the Miramichi Salmon Association. They have been recipients of a number of grants. The cold water refuge program was excellent.

I was wondering, Minister, if you could comment on the recreational fisheries conservation program and the great work that the recreational fisheries community has done.

Hon. Dominic LeBlanc: We had the chance to talk about the Miramichi recreational fishery a few weeks ago. I know that Serge Cormier also spends a lot of time in New Brunswick and on some Quebec rivers.

You're absolutely right. There are a huge number of recreational fishing groups, frankly on all the coasts, that have done great work in being stewards of the habitat and trying to restore and change practices that have had negative effects, so I share that view. I would add indigenous groups into the mix. I have met indigenous groups that also have very deeply held views on how to preserve and protect fish habitat and want to partner with the government and other non-indigenous groups in a way that's very encouraging. I believe that our department and governments—federal, provincial, or municipal—are able to achieve a much higher result in terms of outcomes of better public policy or better operational outcomes, if we can leverage that kind of community goodwill.

I don't disagree with the premise of your statement and we are looking for ways to include these people in the management decisions we'll be making on an ongoing basis.

● (1715)

The Chair: I know you're splitting your time with Mr. Arnold.

Please, go ahead.

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

Again, thank you for being here.

Mr. Minister, whether you have the answer to this or whether you'll have to rely on staff I'm not sure, but the previous definition prohibiting any alteration of fish habitat may have been overly restrictive. Do you believe it was overly restrictive in preventing any experimental operations that may have resulted in a net increase in fish habitat, or improvement to fish habitat, or an increase in fish populations? Was that previous prohibition overly restrictive?

Hon. Dominic LeBlanc: I'll offer a quick comment, but I know that Mr. Stringer or Monsieur Morel can probably provide a much higher level of precision.

Was it overly restrictive? I think we all have anecdotal examples of where some of them were very serious for certain individuals or communities, where we may have thought that particular applications in fact left people with a sense that we hadn't found the right balance. I do believe, however.... As to whether we weren't able to authorize some experimental practices, again, I don't have the history. Mr. Stringer, I think, has been with the Department of Fisheries since 1868.

Voices: Oh, oh!

Hon. Dominic LeBlanc: I think that's when he joined, so he could speak to the specific examples.

In my own province of New Brunswick, I know of a number of circumstances where experimental or community activities certainly improved fish habitat or better protected it. Perhaps, Kevin, you could offer more on that.

Mr. Kevin Stringer: Thanks for that introduction, Minister. As the deputy was pointing out, I think I may be in that picture up there.

Voices: Oh, oh!

Hon. Dominic LeBlanc: Kevin met Sir Wilfrid Laurier.

Mr. Kevin Stringer: I would say that regardless of whether it was the previous section 35 or the current section 35, there always are some interesting situations. I can remember two or three examples where someone wanted to put a barrier in place to ensure that sea lamprey couldn't get up the river. We said, no, wait a second here, we have rules about fish passage.

You find things like that. There have a been a number of recreational groups who wanted to do something for fish habitat improvements, who actually impacted habitat. We therefore had to take a look at it.

I'd say that's the case with the current section but with the previous one as well. We do need to make sure that common sense prevails in either case and ensure that fisheries protection is what we're all serving going forward.

The Chair: Thank you.

I'm sorry, you've run out of time, but you may get another one in. We're overbrimming with time at this point.

Mr. Stringer, you're looking absolutely fabulous for your age. Thank you for joining us today.

Mr. Donnelly, you have seven minutes, please.

Mr. Fin Donnelly: Thank you, Mr. Chair.

Just following up, Minister, on your comments about first nations and partnerships, I want to make a comment. There's an organization or table on Vancouver Island in British Columbia, called West Coast Aquatic, which will be seeking funding for a collaborative that they have put together. I would hope that you would talk with your colleague, the Minister of Finance, about supporting this proposal coming forward. I know that you haven't seen the proposal or what it is, but I flag that for your concern.

Hon. Dominic LeBlanc: Mr. Donnelly, if you have specific information yourself, or if you want to offer me some advice, I'd be more than happy to follow up on it for you.

Mr. Fin Donnelly: I would be happy to put that forward. Thank you.

I do want to turn to an email I have from Shelly Hipson. This has to do with aquaculture. From her email, I think she's quite frustrated. She asks:

> How many petitions do we have to sign and present to the House of Commons asking government to remove these polluting salmon farms from our harbours and bays? They are not listening and in my opinion have NO INTENTION of listening.

I wonder if you have a comment or what you would say to Ms. Hipson.

● (1720)

Hon. Dominic LeBlanc: I obviously don't share Ms. Hipson's view that we're not interested in listening. I have heard from a number of people, and I know colleagues at this table have talked to me about concerns they've heard in their own constituencies, and you and I, Mr. Donnelly, had a conversation about it.

I'm very sensitive to the heightened public concern around the health and safety of wild fish stocks, and the interaction with, principally but perhaps not exclusively—I'm not a scientist—finfish aquaculture in open pens in open waters.

I had a rather robust conversation with our colleagues in the Senate yesterday about exactly that, saying that I think one of the obligations the government can move forward with very quickly is making all of the scientific data, all of the scientific information, available as transparently and as easily, understandably as possible. I'm not sure that's the right English, but I mean make it available in a way that people can understand.

We will be, as I said earlier to one of your colleagues, endeavouring to do that on an ongoing basis. We've made significant investments in science, $197 million, which largely recoups the cuts by the previous government in science. It's never enough. In my view, it's a good beginning; it's a good down payment. I'm hoping—and I believe—we can do more because that's the way we can reassure Canadians that we have the right balance, and that's also the way we can make the best decisions around these management issues.

As I said, Mr. Donnelly, a national aquaculture act, a number of people have called for that for a long time. I'm not sure it sees unanimity easily, but I think—back to Ms. Hipson—we should be open to understanding whether that would also be a way to ensure that the very best regulatory, legislative, and scientific measures are in place, enforceable measures are in place, and then listening to people like Ms. Hipson and other scientists who have strongly held views.

Mr. Fin Donnelly: Excellent. Thank you.

You mentioned earlier that 1,100 staff were cut, those working on habitat protection in the department, and you also mentioned you are trying to fix that problem.

Wouldn't you agree there should be a moratorium on major energy projects or major projects that are impacting fisheries until that time?

Hon. Dominic LeBlanc: It may not surprise you I'm not sure I agree with you. It's a trick question. We're confusing an oil tanker moratorium with a moratorium on major projects.

But no, the deputy tells me that about 170 of those staff reductions were in the habitat protection area. We went, as I say, from 63 to 16 offices. They were closed and that speaks to public confidence, too, Mr. Donnelly, in the sense that in Mr. McDonald's riding in Avalon they can't find somebody at an office who can answer their questions. It creates, I think, an unnecessary concern.

Of the 135 new scientists we committed to hiring with the money that budget 2016 gave us, as of April 1 of this year, we've already hired over a hundred of those, many of them working in world-class facilities in your province, like the West Vancouver Laboratory that I had the privilege of visiting this summer.

We're hoping to do a lot more, but the government will take its responsibility to look at some of these major energy projects.... I can imagine, perhaps, you're referring to one in particular, or a couple that may have come by this past summer. We will look at those—

Mr. Fin Donnelly: Well, certainly in our province we have Kinder Morgan; we have the northern gateway pipeline. Our province is seeing that those pipelines cross a huge number of water courses, fisheries habitat, so it's really important.

In the remaining short time that I have, perhaps I could turn to oceans for a quick second. Unlike the Magnuson-Stevens act in the U.S. or the European Union fisheries policy, Canada's Fisheries Act doesn't include any requirement to stop overfishing or create rebuilding plans in the act, and I know the department has policies that require rebuilding plans, but implementation has been very slow.

For instance, it has been 25 years since northern cod. Do you believe that rebuilding plans should be legally mandated in this act?

● (1725)

Hon. Dominic LeBlanc: Mr. Donnelly, others have raised that with me. It's an interesting legislative construct. I'm told that some jurisdictions that have it have treated it fairly pro forma. You throw it up on the website once a year, you cut and paste last year's plan, just change the date, and put it out as a rebuilding plan. I think that feeds public cynicism and doesn't help the common objective of better managing our fisheries and aquatic resources. We have internally at the department, as you noted, a number of policy measures, and certain cases, like the Species at Risk Act, and so on, have different provisions. You're correct. You were referring to the Fisheries Act. You're absolutely right.

Again, if this committee feels strongly or has views on how that could be looked at as part of a modern regime.... I'm not sure it touches lost protections around habitat, but it's very much part of the conversation, past failures to either protect habitat or, to use your example, of overfishing. There have been examples for generations on every coast of decisions, made perhaps in good faith, that led to very difficult consequences.

The people who have suffered those consequences, in the case of Newfoundland and Labrador around northern cod, will want to know that their government, and maybe their Parliament, are seized of this issue. If you have suggestions as to how we could do that in a legislative context, I would be open to looking at them. But I certainly share the root of your concern and would want to work with everybody to find the best way to do that.

Mr. Fin Donnelly: I'd just like to thank the minister—

The Chair: I think you might have time to do that—

Mr. Fin Donnelly: Okay, very good. Thank you, Mr. Chair.

The Chair: —because we still have a little over 10 minutes. We have about 13 minutes left. In the spirit of equality, we always go to three questions. They're going to have to be limited, however, if you choose to ask a question. We have about three to five minutes each.

Ms. Jordan, would you like to begin?

Mrs. Bernadette Jordan: I just have one question.

I want to thank the minister again for coming in. A couple of things you say, 1,100 positions cut and going from 63 to 16 offices, really come back to what we've heard here, that it's become quite hard to be a DFO employee over the past number of years. We actually heard that in testimony on Monday.

The suggestion was made that this committee should consider, as part of the study, given the outstanding talent within the department, that perhaps they just need a little bit of space to do their job. Can you give us some insight on how, through your mandate, you intend to bring a different style of leadership to DFO?

Hon. Dominic LeBlanc: Thank you, Ms. Jordan, for the question.

I share your view. I have had, as a member of Parliament from New Brunswick, a chance to work directly with some of the local and regional officials of our department in various branches of Fisheries and Oceans, which is a highly decentralized department.

We now have the Canadian Coast Guard as partners in our department, a remarkable group of women and men, as well. To the person, the people that I've had the privilege of working with, as a member of Parliament, or certainly in the few months I've been the minister, are an outstanding group of Canadians. They care deeply about the environment. They care deeply about the protection of our oceans. They're inspired by the hard work of women and men who earn their living on the seas or lakes. Many of them volunteer with community groups and go to meetings in the evenings because they want to be actively involved in their communities and because they live in many of these communities that are directly affected by the decisions that they participate in taking.

I share your view that perhaps they have not felt as supported, as valued, as they should have been and as they are by Canadians. Some of it has been the financial constraints that the department has lived under. We're trying to remedy that. There's often never enough money to do all of the good things we want to do, but the deputy and I, along with the commissioner of the Coast Guard and the senior management of the department, have been working with the Treasury Board and ultimately the Department of Finance. I'm told that I'll have a chance to meet with some of the Treasury Board people in the coming months and hopefully resolve what we've been calling an integrity gap in the sense that we have more and more programs that Canadians expect the department to deliver on and, in some cases, we don't have the adequate resources to properly deliver those programs.

Ships are breaking down in the Coast Guard because we're not doing the maintenance because we have to use that money for operational purposes. That's not the way to run a multi-billion dollar institution, and that's not the way to best serve Canadians who care deeply about the work that the department should and can be doing. We hope to get to a better place.

But the mistakes, Ms. Jordan, will be mine, and the hard work and the insight that comes from the department will be from the remarkable group of almost 10,500 women and men who work in the department.

● (1730)

The Chair: Thank you, Ms. Jordan.

We now go to Mr. Doherty for three minutes, please.

Mr. Todd Doherty: Thank you, Mr. Chair.

Minister, the International Chamber of Shipping, which represents over 80% of the world merchant fleet, has serious concerns about the Liberals plan to establish a moratorium on the shipment of crude oil on the waters of northern B.C.

Can you explain the impacts your proposed moratorium will have on jobs and the economy? From your testimony today, in the next few days you're likely going to make an announcement on this. Can you explain what that impact is going to be on jobs and the economy in the province of British Columbia, but also in Canada?

Hon. Dominic LeBlanc: Sure, I can try.

I think you'll agree with me, Mr. Doherty, that we may not agree on the modalities of the moratorium or how and why there should be one, but I hope you'll agree that we were transparent in the election campaign with Canadians. It was a formal commitment that we made in the platform and it's a mandate letter instruction. We've taken the unprecedented step of making these mandate letters public, so Canadians can see that it's an instruction that both Marc Garneau and I have received. Marc Garneau, the Minister of Transport, obviously has the lead on this. I've been working with him.

We believe that there is understandable and reasonable concern on the northwest coast of British Columbia around oil tanker traffic. We believe that British Columbians care deeply, and I saw it in Bella Bella on Sunday. They care deeply about the protection of the coast, as you call it, and as they call it. Your magnificent province is defined by a deep attachment to the coast, and to an iconic species like salmon.

We're trying to find the right balance between economic development that's sustainable and responsible, and also reacting to scientific and public concern around the cumulative effects of some of these shipping routes.

To be honest, Mr. Doherty, I would suggest that on those questions, Mr. Garneau really has.... He has visited the coast of B.C., he's met with people like those from the organization you referred to, and he's in a better position than I am to address the specifics. I'm trying to give you a sense of the political commitment we've made to Canadians.

Mr. Todd Doherty: Minister LeBlanc, is it your testimony today that the federal government is going to announce in the coming days a moratorium on the tanker traffic on the west coast?

Hon. Dominic LeBlanc: No, it's not. That was an extrapolation you made of what I said. We will be having some news on this and other issues in the coming weeks, I think. If I said days....

But it's no secret. This isn't a secret. If we didn't intend, as a party, to keep our election campaign commitments, we wouldn't have left the party platform on the Liberal website. There should be no confusion as to what that commitment was.

As to how it's put into effect and what the modalities of it are, as I said, it's really Mr. Garneau who has been leading that. I'm sure he would be interested in answering questions from colleagues in the House of Commons, or once we're advanced to a position where we have something to say publicly about this, I'd be happy to make sure that you or any of your colleagues who are interested have a chance to offer advice and understand exactly what this means. But it's hardly a secret that we intend to impose that moratorium.

The Chair: Thank you, Minister.

Mr. Donnelly, you have three minutes, please.

Mr. Fin Donnelly: Thank you, Mr. Chair.

Again, I thank you, Minister, for spending the time here with us and answering our questions.

I have a number of comments that I want to add, and I'll finish with a question.

We referenced the Coast Guard, and I just want to thank the government for reopening the Kitsilano Coast Guard station. People on the west coast were absolutely welcoming that move and happy to see that.

On Vancouver Island, though, they are not so happy about the closure of the Comox MCTS station. Of course we've just recently had the sinking of the *Nathan E. Stewart* and we have Chief Marilyn Slett of the Heiltsuk Nation who, I believe, is in Ottawa this week to talk today about how that is impacting their aquaculture, their food, and their way of life.

In the remaining time, I just want to mention my bill. As you mentioned earlier, I have a bill on moving to closed containment on the west coast. There was mention last night from the parliamentary secretary of there being no evidence of impact from aquaculture. I hope that isn't the view of the minister and of the ministry, because I think there has been ample evidence shown that it is clear there is an impact. In fact, Justice Cohen recognizes that.

There was also a comment about unproven technology. We have Kuterra leading the way on the west coast and Sustainable Blue on the east coast, both using the proven technologies, Kuterra being probably a year away from profit.

Do you share those comments about there being no evidence and this being unproven technology?

● (1735)

Hon. Dominic LeBlanc: You can't offer a politician a nice compliment, as you did, Mr. Donnelly, without allowing him a chance to thank you for it.

I do share your view. It was special for us, at Kitsilano, that you could participate in that announcement. I have learned from my colleagues from your province about the deep attachment people have to that Coast Guard base. We made a commitment to reopen one in a different but similar circumstance in the province of your committee chair, and we're hoping to have some news on that also in the coming days and weeks.

With respect to the aquaculture question you asked, maybe I'll ask Serge. I didn't see his speech last night; I was at another meeting. I know there is evidence around the economic viability, and some questions. “Evidence” is a legal term, but there are concerns and questions about the economic viability of moving to closed containment in some cases. I've heard that from a number of people, but as I said, I think the debate around your bill will enlighten that; it will offer some insight. Our department has contributed some money for various pilot projects to better understand how that might work. I know there are other jurisdictions in which it has been successful.

What I've said publicly is that we understand the heightened level of public concern around how this can be done safely and what the risks are. I won't answer with a leading question. What are the risks to fish and fish health, wild fish and fish health, of some of these practices? The public wants answers to those questions. Our department has a key role in helping them understand that through more science, and more transparent, accessible scientific evidence.

People who do not follow the conditions of their permits or who are not able to follow the appropriate measures that are in place to ensure there's no risk to fish health need to suffer, in a severe way, the consequences of not respecting those conditions or those undertakings. I've already spoken to the department about ensuring that we're very robust in that as well.

The Chair: Thank you, Minister.

To end—

Mr. Robert Sopuck: On a point of order, we went to great lengths to create our witness list, and it was a good witness list. However, last week we had a witness who was not on the witness list. I have no idea where Mr. Martin Olszynski came from, because he was not on our original witness list. My point of order is this. If now this witness list is going to change, one witness we asked for was the Canadian Association of Petroleum Producers, and they did not show up on this list. I met with them today and they are very keen to present to our committee, yet a witness who was not on this list showed up last week. That's essentially unfair. I request that CAPP be allowed to present.

The Chair: Okay. It's not a point of order; however, I will comment on it because I think you may have a legitimate point. This witness list, as you know, in the beginning, was not written in stone. It is evolving. I'm certainly open to having a discussion to include someone if you wish.

Thank you, Mr. Sopuck.

Mr. Robert Sopuck: Thank you, Mr. Chair.

The Chair: To end, I would like to say something that hasn't been said in the House for about 40 years, and that is that the fisheries committee would like to thank its minister, Monsieur LeBlanc, for appearing here today. For those of you too young to remember, Mr. LeBlanc's father, Roméo LeBlanc, was the Minister of Fisheries and Oceans from 1972 to—

● (1740)

Hon. Dominic LeBlanc: He was elected in 1972. It was from 1974 to 1982. He was the first Minister of Fisheries and Oceans when the department was formed, but the longest-serving fisheries minister since Confederation.

The Chair: Very good.

Voices: Hear, hear!

Hon. Dominic LeBlanc: Thank you, ladies and gentlemen.

The Chair: Thank you, everybody.

The meeting is adjourned.