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Chair: Mr. Ken McDonald



Standing Committee on Fisheries and Oceans

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• (1530)

[English]

The Chair (Mr. Ken McDonald (Avalon, Lib.)): I call this meeting to order.

Welcome to meeting 98 of the House of the Commons Standing Committee on Fisheries and Oceans. This meeting is taking place in a hybrid format, pursuant to the Standing Orders.

Before we proceed, I will make a few comments for the benefit of witnesses and members. Please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone icon to activate your mic, and please mute yourself when you are not speaking. For interpretation, for those on Zoom, you have the choice, at the bottom of your screen, of the floor, English or French. For those in the room, you can use the ear-piece and select the desired channel. Please address all comments through the chair.

Before we proceed, I simply want to remind members to be very careful when handling the earpieces, especially when your microphone or your neighbour's microphone is turned on. Earpieces placed too close to a microphone are one of the most common causes of sound feedback, which is extremely harmful to the interpreters and causes serious injuries.

Pursuant to Standing Order 108(2) and the motion adopted on February 8, 2024, the committee is commencing its study of plans to prevent violence during the 2024 elver fishing season.

We have with us today officials from the Department of Fisheries and Oceans Canada. I welcome Annette Gibbons, deputy minister; Adam Burns, assistant deputy minister, programs sector; Brent Napier, acting director general, conservation and protection; and Doug Wentzell, regional director general, Maritimes region.

Thank you for taking the time to appear today. I know it's not your first time here before committee. You will have five minutes or less for your opening statement.

I invite Ms. Gibbons to make her statement when she's ready—

Mr. Serge Cormier (Acadie—Bathurst, Lib.): Mr. Chair, I know this meeting is important today, but I move that the committee resume consideration of the debate on my motion on succession planning from February 8, 2024.

The Chair: It is so moved.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Can we hear the motion again?

The Chair: The motion is:

That, pursuant to Standing Order 108(2), the committee undertake a five-meeting study on the need for training and financial support for the next generation of fishers given the challenges they face entering into the field, given the high cost of licences and equipment, and that the committee report its findings and recommendations to the House; and

1. That witnesses include young fish harvesters and aspiring young fish harvesters;
2. That witnesses include representatives from the fish harvesting industry and the fish harvester unions;
3. That witnesses come from a wide variety of regional and linguistic backgrounds, including indigenous representation.

Furthermore, pursuant to Standing Order 109, the committee ask that the government provide a comprehensive response to its report.

Mr. Perkins, go ahead

Mr. Rick Perkins: This is a cowardly move by the Liberals to avoid accountability—

Mr. Serge Cormier: Mr. Chair, I have a point of order.

Mr. Rick Perkins: —for the fact that they made an announcement today to destroy the elver fishery.

The Chair: Mr. Perkins, there's a point of order.

Mr. Rick Perkins: You're trying to avoid your mismanagement and your incompetence.

The Chair: Turn off his mic.

I'm going to the point of order.

Mr. Serge Cormier: Mr. Chair, this motion should not be debatable at all, but I just want to clarify with the clerk. I just said from the beginning that we want to hear from the—

Mr. Rick Perkins: You're cowardly. Every one of you is a coward, a nasty coward who hates fishermen by what you're doing today—every one of you.

The Chair: There is a motion and the clerk tells me it is non-debatable, so we have to go to the vote immediately.

Mr. Rick Perkins: You're cowards, every one of you. It's shameful.

The Chair: Mr. Perkins....

Mr. Rick Perkins: Your motion is shameful. Your actions to muzzle the committee are shameful.

The Chair: Mr. Perkins, you haven't been recognized to speak. Please stay quiet while we do the vote.

(Motion agreed to: yeas 7; nays 4)

The Chair: Mr. Morrissey, you have your hand up.

• (1535)

Mr. Robert Morrissey (Egmont, Lib.): I just want some clarification.

First, Mr. Chair, the vote was to move the motion to the committee. Is that correct? It was to adopt it for discussion.

The Chair: It was to resume debate.

Mr. Robert Morrissey: Mr. Chair, I have an amendment to propose on the motion. It's a simple amendment on the motion that's on the floor. I have it in all the languages. Is it in order to move the amendment now? Okay.

I would add, directly after bullet three of Mr. Cormier's motion, "That the committee commence this study immediately after the conclusion of the committee's study on the five-year review of the Fisheries Act."

The Chair: I'll wait until the actual amendment is circulated.

Mr. Morrissey, I believe everybody has a copy of the amendment if you'd like to read it into the record again, please.

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

I would move to add the following directly after bullet three of Mr. Cormier's motion. It would be number four, and it would read, "That the committee commence this study immediately after the conclusion of the committee's study on the five-year review of the Fisheries Act."

The Chair: We've heard the terms of the amendment. Seeing no discussion, we'll take the vote.

(Amendment agreed to: yeas 11; nays 0)

The Chair: Mr. Cormier.

Mr. Serge Cormier: I have a point of order, Mr. Chair.

I just want to clarify what happened here. In no way do we want to shut down this meeting. This took five minutes to pass. Everything that we were passing right now was on a motion I was debating last meeting when we adjourned. We want to hear from officials.

I think the comment from my colleague Mr. Perkins was a little bit out of order, but, Mr. Chair, I think we can get on with this meeting right now. There was no attempt to shut down this meeting. It was just to be able to resolve some business that we were not able to resolve at the last meeting.

Again, I don't expect an apology, but I think the member should apologize for the comment that he made.

Thank you, Mr. Chair.

The Chair: Thank you. We'll go right to the opening statement now by Ms. Gibbons for five minutes or less, please.

Ms. Annette Gibbons (Deputy Minister, Department of Fisheries and Oceans): Thank you, Mr. Chair.

My officials and I are pleased to be here today with you—

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Didn't we pass an amendment to the motion?

The Chair: We voted on the main motion.

A voice: No, we have to vote on the main motion.

Mr. Mel Arnold: We didn't vote on the main motion.

The Chair: I'm sorry. That's my mistake.

An hon. member: You can apply.

The Chair: Does everybody agree to apply the vote?

Some hon. members: Agreed.

(Motion as amended agreed to: yeas 11; nays 0)

The Chair: We'll go back to you, Ms. Gibbons.

• (1540)

Ms. Annette Gibbons: Thank you, Mr. Chair.

The officials from the department and I are pleased to be here today.

I'll start by saying that Fisheries and Oceans Canada is committed to the conservation of American eel, with sustainability and orderly management being priorities for the elver fishery. This is an extremely lucrative fishery, Canada's highest value by weight, and as such it attracts significant illegal harvesting.

This happens in hundreds of rivers in New Brunswick and Nova Scotia, often at night and often in isolated places that are not easily accessible. This makes it very difficult to monitor and fight illegal elver harvesting. It is also an easy fishery to get into with few barriers to entry. All that is needed is a dip net. There is no specialized training, vessels or other equipment.

There are vast, intricate and lucrative supply chains available following the point of harvest. Therefore, it's an extremely appealing species for those who are involved in this illegal activity. This presents compelling and challenging risks to conservation of the species and to public safety.

[*Translation*]

Inspections, observations and reports to Conservation and Protection indicate that significant quantities of elvers are being caught illegally. It is estimated that the total catch far exceeds the total allowable catch, compromising the conservation objectives of the American eel in Canada and threatening the conservation and protection of that population.

The elver fishery has become the scene of unacceptable behaviour: harassment, threats and violence among fishermen and towards fisheries officers, with a number of confrontations and violent incidents even posing an immediate threat to public safety and the management of this fishery.

Conservation and Protection and its law enforcement partners have received numerous complaints of violence, trespassing, property damage, weapons and organized crime offences, kidnapping and other significant public safety risks.

[English]

Faced with these unique and complex enforcement challenges, my department dedicated more fisheries officers to the commercial elver fishery in 2023 than we did for any other commercial fishery. We were pulling officers from other parts of the country to support our officers in the Maritimes, and obviously this isn't sustainable for so many reasons.

Ultimately, for the safety of our fisheries officers and the public and for the sustainability of the species, the elver fishery was closed in 2023 through a ministerial fisheries management order. This is the second time the fishery has been shut down in the past four years.

[Translation]

In recent years, numerous discussions between the department, licence holders and other stakeholders have demonstrated the need for new tools and approaches to effectively manage and control the elver fishery. In the absence of such changes, it is highly likely that the 2024 season will follow the unacceptable trend observed in recent years.

[English]

Since the closure last year, my department has been working with industry, first nations and other stakeholders to chart a path forward.

[Translation]

During the course of this review, the changes required became clear, including improved access for indigenous communities, a new regulatory framework to oversee and authorize the possession and export of elvers, and a series of operational changes in the management of the elver fishery. Many of the necessary changes rely on the adoption of new regulations, including the design and implementation of new traceability systems to track elver movements.

[English]

While we have made a great deal of progress in all three of these areas, we're not quite there yet.

• (1545)

For that reason, earlier today the minister wrote to current licence-holders, including indigenous organizations and first nations, to share her view that it is not possible to have a safe and sustainable elver fishery in 2024, and, therefore, the fishery should not be opened. The minister also invited licence-holders to share any relevant comments they may have to help inform her final decision.

Not opening the fishery this season would support law enforcement and conservation objectives in the near term and allow for the design and implementation of regulations, management measures and traceability tools to better control illegal and unauthorized harvesting in future years. Once the 10-day comment period is over

and all input has been considered, the minister will make a decision on the fishery for 2024.

I am optimistic about what we can achieve through the co-operation of all those interested in this fishery, a combined focus on the conservation of this species, reconciliation and a collective commitment to safe and orderly conduct.

Thank you.

The Chair: Thank you, Ms. Gibbons.

We'll now go to Mr. Perkins for questions.

You have six minutes or less, please.

Mr. Rick Perkins: Thank you, Mr. Chair.

This is, indeed, a very dark day for the fishery. This department and six ministers, in eight years, have mismanaged this fishery almost like no other. In 2000, you did a complete shutdown, as you're doing today, of the elver fishery because of poaching, because of illegal harvesting. The industry said how to fix it, and this department did nothing since then—absolutely nothing—to fix it.

Help me understand the rationale of a ministerial decision, and presumably a recommendation from the department to supports it, that thinks that taking the people who abide by the law off the river deters thousands of illegal, international, criminally financed harvesters who are poaching and destroying the fishery.

How does taking legal harvesters off the river help stop the poaching?

Ms. Annette Gibbons: At present, when there's an authorized harvest, in previous years, there is a mixing of the authorized harvest and the unauthorized harvest, which—

Mr. Rick Perkins: Unauthorized harvest.

Ms. Annette Gibbons: There is a mixing. There is a laundering that happens all along the supply chain at harvest and at various points of sale, which makes it very difficult to know what the authorized portion is. It makes it very easy for those acting illegally to carry on their activity without—

Mr. Rick Perkins: With due respect, Deputy, that's just bunk. Every licensed harvester is assigned to a specific river with a specific DFO licence, with that on their nets. Everybody else who's not on those rivers is a poacher. It's easy to identify poachers. I do every night when this starts.

They're already fighting over river space. They're setting up nets now. You have just made it worse. The minister has just made it worse, and Mr. Wentzell has just made it worse, with a lack of ability to enforce the law.

I'll ask it again, because you didn't answer the question: How does removing the licensed elver fishers, who have a 9,000-plus kilogram TAC, when almost 100 tonnes of elvers are being poached and exported out of the Toronto airport—and your enforcement people know where all of that is coming from—stop poaching on the river? Just give a quick answer. How does it stop poaching on the river?

Ms. Annette Gibbons: Removing this capacity to launder does serve as a deterrent, to launder the illegal and legal harvest—

Mr. Rick Perkins: How is that working out? It's growing by exponential proportions every year.

In 2020, you said that this would help; poaching doubled. In 2021, it doubled. In 2022, it doubled. It quadrupled last year, and you shut it down after 18 days.

Mr. Kerr, who works for your department, in April last year told the media that you had adequate policing resources to police the elver fishery, to enforce it. Did he lie to the media?

Ms. Annette Gibbons: I'm not going to comment on what Mr. Kerr—

Mr. Rick Perkins: He's an employee of yours, isn't he? He runs C and P in Nova Scotia. It's a very widely known article in the Chronicle Herald, where he said that you had adequate enforcement resources.

• (1550)

Ms. Annette Gibbons: I understand. We put significant resources on the enforcement of this fishery.

Mr. Rick Perkins: It's so significant that we have thousands of poachers on the river who are now given free rein to go and do whatever they want, because you couldn't handle it over the last four or five years.

It didn't stop poaching in 2020. How is it going to stop poaching this year? What's the plan?

Ms. Annette Gibbons: This year, all of the harvest will be illegal. We will be out in full force enforcing the fishery.

Mr. Rick Perkins: How will you do that?

Are you bringing the RCMP with you on every river? I phoned every RCMP detachment in my riding during the legal harvesting, and DFO never once called those detachments to ask for help.

Ms. Annette Gibbons: We work with our partners. We work with—

Mr. Rick Perkins: It doesn't include actually showing up on the river to support DFO.

Ms. Annette Gibbons: The decision on exactly when to come for different things rests with the RCMP, as I know the committee understands—

Mr. Rick Perkins: The RCMP serve as backup on call. In 2020, when we had the lobster crisis in St. Marys Bay, C and P called the RCMP for backup, and they came in large numbers to Atlantic Canada to help.

Not one call was made last year by DFO's C and P to get the RCMP to back them up to end this lawlessness. Why not?

Ms. Annette Gibbons: C and P makes the decision on what they need in a particular instance. It depends on the situation, but we work in partnership with the RCMP and others. We work with CBSA as well. We work with other local police.

Mr. Rick Perkins: CBSA said at this committee in December that there were no elvers going out of this country that they were aware of. They didn't even know when the elver season was. I don't think your communication with CBSA is working very well.

Ms. Annette Gibbons: I said in a response to that point, in committee in October, I believe it was, that our understanding is that there is an illegal harvest leaving the country.

Mr. Rick Perkins: If we're going to stop the lawlessness and stop the crime, you have to arrest people on the river in large numbers. Sixty is token when there were thousands of them on the river on private property last year.

Ms. Annette Gibbons: We did significant patrols last year. We did make arrests.

The Chair: Thank you, Mr. Perkins.

We'll now go to Mr. Kelloway for six minutes or less, please.

Mr. Mike Kelloway (Cape Breton—Canso, Lib.): Thank you, Mr. Chair.

I have six minutes, so I'm going to try to get in as many questions as I can and allow you the time to answer them.

If the minister were to close the fishery, does this action give C and P officers and other law enforcement officials more tools to combat the illegal fishery? Does it give us more tools, and can you explain what they are?

Ms. Annette Gibbons: I'm not sure that it gives us different tools, but it certainly provides clarity.

Anyone who is harvesting eels will be offside. Any harvest will be illegal. When the elvers arrive in New Brunswick and Nova Scotia, anything that our officers see will be subject to enforcement.

Mr. Mike Kelloway: How many rivers are we talking about here, between New Brunswick and Nova Scotia, just to give the people a picture of it?

Ms. Annette Gibbons: There are roughly 200.

Mr. Mike Kelloway: Last season, there was a need for additional C and P officers, as has been put out on many occasions in this committee, to help monitor the elver fishery. How many additional officers were put in and where were they chosen from?

Was it just Nova Scotia and they were shuffled around? Was it Atlantic Canada? Was it Canada?

Ms. Annette Gibbons: I don't have the number of officers, but we did, I think previously, give the committee the number of hours of enforcement activity and the number of patrols that we've done.

We brought in officers from regions across the country. For our contingent in various regions, we are able to move people temporarily into areas where they're needed. We did that with this fishery last year. We've done it in other years as well.

Mr. Mike Kelloway: I've heard on a few occasions that last year, when we closed the elver fishery for reasons that were a hundred per cent legitimate in terms of crime.... Mr. Perkins talked about damage to property and the potential for actual violence. I think it was some time in June, if I'm not mistaken—

Ms. Annette Gibbons: It was in April.

Mr. Mike Kelloway: Okay, it was April. I'm 53; my mind sometimes....

When we did stop it, I often heard that this decreased illegal fishing.

What do you say to that?

• (1555)

Ms. Annette Gibbons: We were still out enforcing, and there were instances where we charged after the closure. We would expect that this year as well.

Mr. Mike Kelloway: I wonder if I can go to Mr. Wentzell on that.

Mr. Wentzell, in terms of on the ground, what did you see before and after the closure?

Mr. Doug Wentzell (Regional Director General, Maritimes Region, Department of Fisheries and Oceans): Thanks so much for the question.

As the deputy said previously, a closure gives a lot of clarity, not just to our officers but to law enforcement partners on this or any other fishery. That clarity provides a lot more certainty in terms of structuring operations and in terms of responding to any incidents of supply being hidden in the supply chain. Again, it's not that we have extra tools, but we certainly have a lot more clarity around what's authorized versus what's not authorized.

Mr. Mike Kelloway: We have clarity. Okay, I get that in terms of other groups. The RCMP, for example, has been brought up today. Walk me through how we approach the elver fishery in terms of that collaboration. Is it that we just meet with the RCMP once in a while, once in a blue moon? Are we interconnected? Are we hard-wired into them, and are they into us in terms of intel and enforcement?

I wonder if you could walk us through what the collaboration looks like in theory and also in practice.

Mr. Doug Wentzell: We do collaborate really closely with enforcement partners, both RCMP and CBSA but also local police of jurisdiction as well as provincial enforcement counterparts.

What I would say is that the bulk of our collaboration involves two key streams. One would be the sharing of intel. This would be any information that we have that supports our colleagues and other enforcement bodies to carry out their roles and mandates, as well as coordinating capacity. When we need support, if there's a particular incident that we feel falls within the mandate or jurisdiction of other police forces, we share that information. That dialogue happens daily, and there are also structure tables that do that information sharing on a regular and frequent basis.

Just for clarity, fishery officers have a lot of authorities under the Fisheries Act to respond to fishing up to the point of first sale. In instances of violence, of trespassing and of some of the terrible incidents we've seen in this fishery over the last year, we rely heavily on our enforcement partners, including the RCMP and the police of jurisdiction, to respond to those.

The Chair: You have 45 seconds.

Mr. Mike Kelloway: Okay.

In terms of the Maine example, the state of Maine, we're looking at best practices on how to manage the elver fishery. We need enforcement put in place for people to be safe, those who are licence-holders and community members who are just living there. Can you distill to me very quickly the Maine approach? Are we seriously looking at something similar to that in terms of—obviously not for this year—next year?

The Chair: I'm going to have to ask for that to be submitted in writing, because you used up the 45 seconds asking your question.

We'll go to Madame Desbiens now for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, BQ): Thank you, Mr. Chair. I'm glad to see you back in your chair.

I also thank the witnesses for being with us, and our colleagues for proposing this study.

I was made aware of this situation almost two years ago already. The people we met on that occasion were deeply affected by what was happening. Some thirty years previously, they had developed this elver market, which is, my goodness, little known, and worked hard to try and build it up, eventually succeeding in making it a somewhat lucrative business. In the end, however, they came to tell us that they couldn't fish any more, because they were afraid to. Indeed, it's a fishery that takes place at night, but they could no longer approach the area because they were being threatened and intimidated.

So we're talking about people who have set up an important initiative. As anyone in business knows, this involves personal effort and, often, financial risk. These people are now grappling with that situation.

What's more important in this context: granting licences, finding a way to remove this tension, or increasing security as much as possible? Are all these answers right? I put this question to all the witnesses.

• (1600)

Ms. Annette Gibbons: The minister's announcement today was made because we see that the tools we have used to date are no longer successful in ensuring the conservation of the species, or public safety.

There are three areas in which we are making changes.

First, there's the allocation for first nations. That's something they've been asking for. We've made changes to that over the last couple of years and we need to continue to consult with first nations on their participation in this fishery.

Secondly, there's regulatory control of the catch. Currently, the department only has the right to regulate what happens on the rivers, that is to say the fishery itself. However, we don't have the authority to intervene in the subsequent trade of these catches. So, if we see something, but we can't determine where it came from, it's difficult to intervene. Regulations covering the entire value chain are therefore very important, and would make it possible to monitor the position of elvers throughout the value chain, right up to export. We are working very hard on this point.

Thirdly, there's fisheries management. A traceability system would enable the department to have more data and information on catches and what's going on, in order to better protect the resource.

We're moving forward on all three fronts at the same time.

Mrs. Caroline Desbiens: I imagine it's laborious, which I understand. Do you have a timeline? On the one hand, predictability is important. On the other, it's an urgent matter, given that people's safety is at stake.

Ms. Annette Gibbons: Regulatory changes are the ones that take the longest, because there are certain steps to follow and we can't skip them. There has to be, for instance, an analysis of the impact of the new regulations. However, we have made a lot of progress in the development of regulations. Returning to Mr. Kelloway's question, we have taken inspiration from the State of Maine's regulatory model. We've already reached the stage of public consultation on the regulations.

Mrs. Caroline Desbiens: Are first nations invited to these consultations? I imagine so.

Ms. Annette Gibbons: Yes, certainly.

Mrs. Caroline Desbiens: Mr. Burns, can you elaborate on the nature of the offences reported? How serious is the threat to safety?

Mr. Adam Burns (Assistant Deputy Minister, Programs Sector, Department of Fisheries and Oceans): We see cases of unauthorized fishing, that is, people fishing without a licence from the department. That is the main offence we see and want to eliminate.

[English]

The Chair: Thank you.

We'll now go to Ms. Barron for six minutes or less, please.

Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP): Thank you, Mr. Chair.

Because I can't help myself, I have to start by highlighting how distraught I am by my colleague's behaviour at the beginning of this

meeting. This is a pattern of behaviour that we've seen from this member, and from others within the same party, when it's felt that name-calling, yelling and trying to get good clips are effective ways to move forward.

I believe there are other ways to express anger while remaining professional and respectful with one another. Yelling does not provide a safe working environment, particularly as it relates to translators.

• (1605)

The Chair: We have a point of order from Mr. Small.

Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC): Mr. Chair, yes, I have a point of order. I think the member should get on with the questioning.

Ms. Lisa Marie Barron: That's not a point of order.

Mr. Clifford Small: We have these witnesses here, and this is irrelevant.

Ms. Lisa Marie Barron: Chair, he's taking my time.

The Chair: I shut off the time when I entertained the point of order.

I will let Mr. Small know that the six minutes are yours to use as you please. You can give a speech about what you baked over the weekend or what you did for the weekend. It's your time, and your time to use.

Continue, Ms. Barron.

Ms. Lisa Marie Barron: I look forward to that. Thank you, Mr. Chair.

As I was saying, Mr. Chair, unfortunately, the behaviour of my colleague resulted in an unsafe working environment for both our peers and the staff—in particular, the translators who have to listen to the yelling and name-calling through the microphones. I will please ask my colleague, and colleagues, to perhaps take a breath when they are feeling angry, particularly without full information, and reflect on how we can communicate in a more respectful manner.

With that, thank you for allowing me to say that within the time I've been allotted.

I would like some clarification, please, Ms. Gibbons. I'm trying to understand. In particular, there was a letter sent to licence-holders, and the very first paragraph in the letter says, "I am writing to inform you of my intention not to renew any elver licences for the 2024 season". The statement that came out by DFO, however, states that there are consultations happening.

From my perspective, these two conflict with one another. Can you please clarify?

Ms. Annette Gibbons: The letter indicates a clear intention of concerns and the possibility of not opening the fishery, not issuing the licences for this year, but it does state later that the minister seeks comments from the licence-holders; that if there are comments, to have those within the next 10 days; and that she will then take into account the information she receives during that comment period before making a final decision.

It is clear that this is an intention, based on the perspectives of the moment and the factors that are outlined in the letter, but the final decision will not be made until the minister receives comments from the licence-holders on the impacts on them.

Ms. Lisa Marie Barron: Thank you for clarifying, Ms. Gibbons.

With respect, can you...? The wording in the very first sentence was, "I am writing to inform you of my intention not to renew any elver licences". If you were an elver licence-holder, how would you interpret that very first sentence? I know that if I were an elver licence-holder, I don't know that I'd even read the rest of it. I would just immediately assume, "Well, I guess the season's closed. They've made the decision."

Can you perhaps speak to the decision by the minister to have this as the very first sentence in the letter to the licence-holders, and perhaps reflect on how this may be shutting down the conversation, or the consultation as you're referring to it, before it's even begun?

Ms. Annette Gibbons: The framing of the intention in that way is intended to provide clarity on what the thinking is. Providing a very specific perspective—here is what I'm thinking now—while remaining open to perspectives does give people something very clear that they can provide comments on.

Ms. Lisa Marie Barron: Thank you.

My colleague Ms. Desbiens mentioned first nations. Can you please share with me how first nation rights to a moderate livelihood play into these decisions? What consultation has been happening alongside first nations?

• (1610)

Ms. Annette Gibbons: We have had extensive discussions in recent months with first nations on various aspects of the fishery and the three streams of work that I referred to.

Of course, the first one is their interest in having a greater share of the fishery, so the allocation of the fisheries. There have been discussions on that. The second stream is the regulations. We have had discussions with them on our intention to develop and bring in new regulations on the full supply chain and possession, requiring a licence to possess elver all along the supply chain, essentially. There have been discussions with them on that as well. On the final stream of work, the management of the fisheries, certainly we've had discussions with them on that as well.

They are fully involved in all areas of thinking on the new tools and approaches that we need to manage this fishery.

Ms. Lisa Marie Barron: Thank you.

I'm good.

The Chair: We will now go to Mr. Small for five minutes or less, please.

Mr. Clifford Small: Thank you, Mr. Chair.

Briefly, Mr. Wentzell, if poaching of salmon is reported to be taking place on a river in Newfoundland and Labrador, what's the first step that DFO C and P would take?

Mr. Doug Wentzell: I can't speak about specific situations and what officers would decide on the ground, but they would use a range of tools to foster compliance.

Mr. Clifford Small: They foster compliance. What's the next step after you get the call that there's someone with a net on the river?

Mr. Doug Wentzell: Again, I can't speak to what C and P would do specifically in that situation, but they use a range of tools to make sure they're able to align the activity of harvesters with what is authorized by the department.

Mr. Clifford Small: You certainly would arrest them right away.

Mr. Doug Wentzell: Again, I can't speak for fishery officers and what they would do under that particular—

Mr. Clifford Small: Mr. Napier, would you arrest them right away?

Mr. Brent Napier (Acting Director General, Conservation and Protection, Department of Fisheries and Oceans): No, sir, they wouldn't. If it was a call coming in, it would be referred to a fishery officer, who then may go down to the scene and assess the situation and circumstance, and based on their discretion, would take appropriate action.

Mr. Clifford Small: Okay. Typically what I and others have seen is that they would be arrested. They get charged and they go to court, but typically, first of all, their vehicle is seized or any personal property that's used in the poaching activity.

Is that not correct?

Mr. Brent Napier: Again, depending on the circumstances and the discretion of the officer that could occur, yes.

Mr. Clifford Small: Since heavy fines and confiscation of personal property have been brought in as DFO protocol—I think Mr. Morley Knight, back in the day, brought in a lot of these things—what has been the result of poaching on salmon rivers in general? Has it worked?

Mr. Napier.

Mr. Brent Napier: What we're looking at is presenting a deterrent along the whole supply chain. Where you see officers in the field, that's important, but that's the tip of the iceberg, because that's just one point. By having deterrents along the entire supply chain, which includes the facilities they are held at, the export points, we're seeing that we're making a noted difference.

Having 60 might not seem like a lot—

Mr. Clifford Small: Generally how have the deterrents been working in the poaching of Atlantic salmon?

Mr. Brent Napier: In the Atlantic salmon they have been effective. Again, there are conservation complexities related to that species.

Mr. Clifford Small: How would you rate that in the elver fishery?

Mr. Brent Napier: I think we're learning every consecutive year. I think closing the fishery, as is being proposed, provides us with lots of tools. We mentioned visibility and some of the laundering activities, but also it decreases tension, because what we see in the public safety domain is considerable tension between authorized and unauthorized fishers.

Mr. Clifford Small: Poaching of elvers has been taking place for about seven years, from what we're told by stakeholders. Do you think that salmon poaching would get out of hand in the same manner that elver poaching has gotten out of hand, if it's a seven-year problem, or would you have it nipped in the bud by now?

Mr. Brent Napier: Thank you for the question.

I believe the circumstances are different in the sense that what we're receiving is pressure from other community—

Mr. Clifford Small: Salmon is one species. Elver is a different species. It all falls under DFO regulation.

Why have you failed? After seven years—and it has all taken place under six different DFO ministers—this is a disgrace. How could you possibly let this happen?

Ms. Gibbons.

• (1615)

Ms. Annette Gibbons: We have put a tremendous enforcement effort on this fishery. We've increased it year over year—bringing in people, as I noted earlier, from different parts of the country. It is a very challenging fishery to manage at night on so many rivers—

Mr. Clifford Small: Ms. Gibbons, are you saying that your government is not up to the challenge of enforcing the law?

Ms. Annette Gibbons: We certainly are. We take that responsibility of enforcing the law very seriously.

Mr. Clifford Small: This poaching of elvers has completely spiralled out of control, and it has increased exponentially. You basically admitted that in your opening remarks. Why is the enforcement effort not matching the escalation in the poaching activity? You could have brought in enforcement from B.C., from Alberta, from the Great Lakes, from everywhere.

Ms. Annette Gibbons: We do.

Mr. Clifford Small: Why were there only 60 charges last year?

The Chair: Thank you, Mr. Small. You've gone over your time.

I'd ask the deputy minister to provide an answer in writing, if she can, afterwards.

We'll now go to Mr. Cormier, for five minutes or less, please.

Mr. Serge Cormier: There's a little change in the order. I'm sorry, Mr. Chair. Mr. Hardie will take my spot for this round.

The Chair: Okay.

Mr. Hardie, go ahead for five minutes or less, please.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): It's just a different hairdo, that's all.

Sixty charges.... I'm sorry to use a bad analogy, but you could do 600 charges. It's like shooting fish in a barrel, given the extent of what's going on. Why were there only 60 charges?

Mr. Doug Wentzell: As colleagues have said, I just want to say that, as the regional director general for the Maritimes, my role is assigning resources for C and P, and—

Mr. Ken Hardie: No, I'm sorry, sir. I don't need that explanation.

I need to know why there are not more charges.

Mr. Doug Wentzell: Laying charges involves all of the necessary steps in terms of assessing the individual circumstances and the evidence, and taking into account indigenous considerations for certain harvesters.

Mr. Ken Hardie: They're on the river. They're not indigenous. Some of them are, of course. If they're on the river but not indigenous, not supposed to be fishing and don't have a licence, why do we not see more arrests?

Mr. Doug Wentzell: Based on last year, we had 107 arrests from the commercial elver fishery. We have 60 charges to date. I say, "to date" because we are still processing those files, and 107 arrests is a significant number for any fishery.

Mr. Ken Hardie: How many have gone to trial?

Mr. Doug Wentzell: At this point we have the 60 charges, and it's up to the Public Prosecution Service to determine which ones go to trial.

Mr. Ken Hardie: We're dealing with two different supply chains here. We're dealing with the supply chain of the elvers themselves. I don't know what your intelligence is telling you about that, but you should know by this point where those fish are going, how they're getting out of the country and where they're going to out of the country.

Have you done the intelligence workup to clearly identify that supply chain?

Ms. Annette Gibbons: We are well aware of the supply chains, yes.

Mr. Ken Hardie: Okay. Then do you know where they're landing? Where are they going when they leave Canada?

Ms. Annette Gibbons: They're going to Asia, predominantly.

Mr. Ken Hardie: Where?

Ms. Annette Gibbons: Ultimately, they go to China. Other countries—

Mr. Ken Hardie: Why do we not know where in China these containers are ending up? We should be able to track them. We should be able to trace back, in fact, what's going on.

Do we have assets on the ground through Global Affairs or whatever in China to give us this information?

Ms. Annette Gibbons: We're hoping to expand out the supply chain, the point of exportation, understand that in more depth and have more control over it through the regulations that we're developing.

Mr. Ken Hardie: Let's look at the other supply chain. That's the justice supply chain.

It's already a year from when the last out-of-scope fishery took place. Out of the hundreds and maybe thousands that were on the river, we have 60 approved charges so far. Nobody's gone to court. Do we need more resources in the courts? Do we need some sort of strategy to get these dealt with?

When you have this much money literally swimming up the river, enforcement or even the threat of some kind of legal action isn't going to be much of a deterrence. They will take the chance. The only thing that might work is when people start getting their property seized or end up doing time in jail. It's a year later and none of this has happened.

What are you doing to pull in all of the partners that should be working in a synchronized way and be far more efficient at dealing with this?

I have one other question. You can answer that one and then answer this one too. Are enforcement officers afraid to enforce the law?

• (1620)

Ms. Annette Gibbons: As Mr. Wentzell indicated, we have structural working groups for figuring out our approach for the upcoming season, where we plan, with CBSA, the RCMP and local police, the various roles that we play. We make sure that everybody is aligned and ready. Then there is also, in real time, while the fishery's under way, a lot of back and forth with our partners.

As for the PPSC and the justice system, I think those are questions for justice and the PPSC.

Mr. Ken Hardie: You must be talking to them—you must. That's not a question.

Are the officers afraid to enforce the law? This sounds like a pretty rough business out there in the dark. I wouldn't blame them. I would suggest that cutting off the head of the beast that is the market might be a heck of a lot better way to go. However, to do that, you're going to need to have much better intelligence and much better knowledge of what's going on with these creatures once they're caught.

Has that sort of thinking been going on?

Ms. Annette Gibbons: We have been thinking about that, absolutely. As for the officers, they are trained to deal with all kinds of situations—

Mr. Ken Hardie: Yes, but—

The Chair: Thank you, Mr. Hardie. Your time has gone a little over.

We'll now go to Madame Desbiens for two and a half minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

I'll take some of my time to give notice of a motion, hoping for good faith from all.

Given the significant decline in shrimp biomass, the low allocation of redfish to the shrimp fleet, particularly the small fleet, the possible demise of the shrimp industry and the lack of concrete alternatives and concrete support, and the repercussions suffered by fishers, fishers' helpers, processing plant owners and employees, as well as coastal communities and businesses, given all this urgency to act, I move:

That, pursuant to Standing Order 108(2), the committee undertake a study of the criteria used by the Department of Fisheries and Oceans (DFO) to set redfish quotas, in particular those announced by the minister on January 26, 2024, in order to assess the extent of their effects on the shrimp fishing industry; that the committee allocate at least two meetings to conduct this study; that the February 27 meeting be allocated to hear from the minister and senior DFO officials so they can answer the committee's questions for two hours, and that the February 29 meeting be allocated to hear from any witnesses the committee deems necessary; and that the committee urgently report its findings and recommendations to the House.

[*English*]

The Chair: We've heard the motion. Can we get it copied and distributed?

It's a notice of motion, so it doesn't have to be debated right now. We'll do that at our next committee business meeting.

You have 34 seconds left, Madame Desbiens.

• (1625)

[*Translation*]

Mrs. Caroline Desbiens: What luck!

In the significant cases of violence and intimidation that have been mentioned, why do we hear that there are agents who don't dare intervene? How do you plan to remedy this situation?

Ms. Annette Gibbons: Officers will assess the situation, that's for sure. If it turns out to be extremely dangerous, they'll act accordingly. As I mentioned, our agents are trained to deal with uncomfortable situations.

I believe Mr. Napier wants to say more.

Mr. Brent Napier: Yes, thank you.

[*English*]

Over and above that, it's not a question of fear. These are officers who went out during COVID throughout the entire period, so it's not fear. They're well trained, but they also have a mandate for fishery offences. Violence and Criminal Code offences are not something that fishery officers deal with. That falls under the mandate of the police of jurisdiction, the RCMP as an example, so putting our officers in these situations when they don't have a mandate to address them is also a dangerous thing.

The Chair: Thank you, Madame Desbiens.

We'll now go to Ms. Barron for two and a half minutes or less, please.

Ms. Lisa Marie Barron: Thank you, Mr. Chair.

My question is for Ms. Gibbons.

My colleague Mr. Perkins shared with me the impacts of the illegal elver fishery on the people who live along the river and the violence and the tremendous impacts on their capacity to feel safe in their homes as a result of the illegal poaching that's happening along the river.

I'm wondering if you can share how closing the legal elver fishery is going to help mitigate the problems that these people are experiencing and the environmental impacts of the poaching that's happening.

Ms. Annette Gibbons: The goal, as I said, is to try to have a deterrent impact, so to have less illegal poaching and less total harvesting of the resource under a closure or non-opening scenario, because we are cutting off this possibility of mixing illegally harvested and legally harvested elver. The goal is to see less harvesting overall. There will be greater clarity that any activity that's happening is unauthorized.

Therefore, if we see less, we will have greater conservation, more safety in those areas, less tension between the different harvesting groups and just fewer people out on the rivers.

Ms. Lisa Marie Barron: Thank you.

How much time do I have left, Mr. Chair?

The Chair: You have 35 seconds.

Ms. Lisa Marie Barron: Okay. This won't be answered. Maybe you could provide the rest of it in writing.

My final question is about what happened in 2019 in Nova Scotia around the conflict and violence associated with the lobster fishery and the learnings we should take from that.

I am seeing a lot of misinformation around indigenous rights to access to a moderate livelihood. I'm noticing some themes and patterns that are very similar between the two, and I have concerns. I'm wondering if you can perhaps provide in writing some learnings from the 2019 incidents and how we can ensure that we don't see similar conflict arising as a result of decisions being made around that elver fishery.

The Chair: Thank you, Ms. Barron.

We'll now go to Mr. Arnold for five minutes or less, please.

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

Ms. Gibbons, you just stated that your goal this year of potentially not having an opening is an attempt to avoid the illegal export or any sales of elvers. Is that correct?

Ms. Annette Gibbons: It's harvesting. We're trying to diminish the harvest.

Mr. Mel Arnold: How are you going to diminish the harvest?

Ms. Annette Gibbons: It's a deterrent.

Mr. Mel Arnold: It's a deterrent.

Ms. Annette Gibbons: It's by not having the possibility of laundering unauthorized harvest with the authorized harvest.

Mr. Mel Arnold: Okay. It's basically the laundering or the illegal export of eels to foreign countries. Is that correct?

Ms. Annette Gibbons: Yes.

Mr. Mel Arnold: Thank you for clarifying that.

This government can't stop stolen cars or stolen trucks from being exported through the port of Montreal, even when the owners know they're there. How do you expect to stop a tub of eels from being exported when this government can't stop the exportation of hundreds, if not thousands, of stolen cars?

• (1630)

Ms. Annette Gibbons: I'm certainly not qualified to speak about the export of cars. However, the purpose of the regulations we're developing is to be able to have control over the various points of sale in the supply chain up to the point of export, thereby making it illegal to sell export elvers for which there isn't a certificate of...

Mr. Mel Arnold: Thank you.

Has your department been able to stop the illegal harvest of elvers at this point?

Ms. Annette Gibbons: Our enforcement—

Mr. Mel Arnold: Has it been able to stop it? Give me a yes or no.

Ms. Annette Gibbons: From a binary perspective, there is an illegal harvest. It's not all, certainly, but we believe our enforcement efforts—

Mr. Mel Arnold: It hasn't been able to stop the illegal harvest, then.

Ms. Annette Gibbons: We don't stop it all, but we stop some—absolutely.

Mr. Mel Arnold: Okay. There is an illegal harvest.

Why does there continue to be an illegal harvest?

Ms. Annette Gibbons: As we've noted, the incentives to poach in this area are very high, and the enforcement of it is extremely difficult. We certainly try. We have lots of resources on it, and we've increased the resources to try to make sure that we're doing everything we can.

However, because of the number of rivers and the fact that there's a big payoff if they can—

Mr. Mel Arnold: Thank you.

The C and P officers enforce fisheries that are regulated under the auspices of the Fisheries Act. Is that correct?

Ms. Annette Gibbons: Do you mean the conservation and protection officers?

Mr. Mel Arnold: Yes.

Ms. Annette Gibbons: They are subject to it, yes.

Mr. Mel Arnold: They monitor and enforce fisheries authorized under the Fisheries Act.

Ms. Annette Gibbons: Yes.

Mr. Mel Arnold: Are there any other types of authorizations under which harvesters could be operating?

Ms. Annette Gibbons: I'm not sure I understand your question.

Mr. Mel Arnold: Are there any other types of authorizations outside of the Fisheries Act that could allow the harvest of elvers?

Ms. Annette Gibbons: The Fisheries Act is the enabling legislation, so....

Mr. Mel Arnold: There are no other agreements that would enable the harvest of elvers.

Ms. Annette Gibbons: It's the Fisheries Act that provides the authority. We issue licences pursuant to the Fisheries Act. That is the vehicle for authorizing fisheries.

Mr. Mel Arnold: Are there elvers being harvested under any other auspices, rights-based harvests or any other activity?

Ms. Annette Gibbons: No, not to my knowledge, sir. It would all be under the licences under the Fisheries Act. Indigenous fishing is under communal commercial licences under the Fisheries Act.

Mr. Mel Arnold: I think I'll turn my remaining 45 seconds to Mr. Perkins.

Mr. Rick Perkins: I have a quick question in the short time. If I understand your logic, Deputy, by taking all the legal elvers off, any elvers you find are illegal and, therefore, your enforcement of that will stop the poaching. Is that the perverse logic you guys have?

Ms. Annette Gibbons: It will certainly not stop all poaching, but we expect that it will provide clarity and a deterrent for illegal poaching in general—yes.

The Chair: Thank you, Mr. Perkins.

We'll go to Mr. Cormier for five minutes or less, please.

[*Translation*]

Mr. Serge Cormier: Thank you, Mr. Chair.

We will be issuing a press release today to say that there will be consultations for the upcoming season. I think people understand the government's goal of reconciliation with indigenous peoples; we've been talking about it for a number of years. I think even non-indigenous commercial fishers in any other fishery also understand that there are different concerns about the fishery that need to be discussed.

Once again, we're talking about consultations. But when it comes to consultation, especially with first nations, it's often said that it has to be nation-to-nation. And yet, some groups find themselves outside these discussions. Therefore, are these consultations going to be done with all groups at the same time, or only with one group at a time, like the first nations, the commercial fishers, and so on?

Couldn't we, for once, get everyone in a room and talk together? That's what the word "reconcile" means to me. Is this something you've been thinking of doing, that is to say, getting all these groups together in the same room to discuss the future of this fishery, as well as all the other fisheries that cause a bit of trouble regarding reconciliation with first nations?

• (1635)

Ms. Annette Gibbons: You mentioned the concept of nation-to-nation. It's certainly paramount in discussions with indigenous peoples about their rights. The federal government will respect them by conducting negotiations and consultations with them.

In parallel, what we do with them has repercussions on other people with whom we obviously consult, as you mentioned.

In addition to all that, we recognize that there is room for dialogue between the three parties or that there is information to share about what we're doing with indigenous peoples. Whether we have discussions with other groups that are affected or have an interest in this, we certainly want to facilitate those dialogues too.

Mr. Serge Cormier: For consultations on the elver fishery, are you going to try to get indigenous groups and commercial fishers in the same room? Will you encourage such a discussion to see how we can come up with something that will hold?

Ms. Annette Gibbons: We still have advisory committees for the different fisheries.

Mr. Serge Cormier: I see.

Ms. Annette Gibbons: Everyone is welcome.

Mr. Serge Cormier: Perfect.

You said earlier that this takes place in over 200 rivers. You also talked about having sufficient resources that would allow you to have control should things ever get out of hand again. Will you have a sufficient number of protection officers if a situation like last year's occurs? Do you have a guarantee that there will be enough resources to deal with it?

Ms. Annette Gibbons: Because the elver fishery is special, we prioritize it when it's open and when the elvers arrive. We deploy as many resources as possible to help manage this fishery.

Mr. Serge Cormier: All right.

Mr. Napier, did you feel that there was a threat to the conservation and protection officers in this whole situation? Were you afraid, if I can put it that way, of making some arrests? What do your agents think about this whole situation?

Mr. Brent Napier: Thank you for your question.

[*English*]

I think it's not a question of fear. I think there's intelligence that needs to be brought forth, an understanding of the types of training and the mandate the officers have prior to entering any circumstance. This is where the discussions with our partners are so very important.

We talked about the RCMP and making sure they're involved in that process.

[Translation]

Mr. Serge Cormier: I'm going to ask one last question, which will be difficult to answer, but that's why we have this committee.

Have fisheries officers received any direction not to arrest commercial or first nations fishermen in the last two years, since these situations have been happening?

[English]

Mr. Brent Napier: I think there's a bias interaction.

From a fishery officer's perspective, it's all under the Fisheries Act. We talked about the authorizations. Are they in place? If they're not, then action is taken.

We heard from some of our colleagues about PPSC, the actions they take and the bar they have. We have a very different bar. We have the bar that measures whether that activity is legal or not under the Fisheries Act, and we act accordingly, using the discretion of the officers and the circumstances at the time.

The Chair: Thank you, Mr. Cormier.

We'll now go to Mr. Perkins for five minutes or less, please.

Mr. Rick Perkins: Thank you, Mr. Chair.

I'll ask Mr. Napier this—or whoever is appropriate.

Are you aware that CFIA certifies elvers that go out of the Toronto airport to Hong Kong?

Mr. Brent Napier: Yes, sir, we are aware and we talked about the intelligence. We're well aware of where this product is going. That's the laundering point—

Mr. Rick Perkins: Have you asked CFIA to stop doing that?

Mr. Brent Napier: The elvers that leave have not gone out under a seafood label. They go outside of a seafood label, as I understand it. Therefore—

• (1640)

Mr. Rick Perkins: It's going from a company owned by a Mr. Mao, who exports this under a CFIA banner.

I'd like CFIA included in our next meeting, by the way.

His brother-in-law is the manager of ChiCan in my riding, which is owned by a Mr. He in China, who's in jail in China for breaking Chinese law on importing illegal seafood. This is the money behind this operation. Are you pursuing that and shutting down Zheng Chao at Atlantic ChiCan?

Are you shutting down the company in Toronto that is exporting these illegal elvers and charging them?

Mr. Brent Napier: One challenge is that, once the elvers are laundered and mixed, it's very difficult to determine which part of that product is legitimate. There are transits of elvers from the Caribbean and other jurisdictions that go through that are legitimate, at least in our minds, and have not come from Canadian waters.

Mr. Rick Perkins: When the TAC that this department has set is only 9,900 kilograms and 100 times that is going out the Toronto

airport, it's pretty safe to say that nine out of 10 of the exports are illegal. Wouldn't you agree?

Do you think the 100 tonnes of eels going out of Toronto is all legal?

Mr. Brent Napier: Sir, without any understanding of the traceability, and unfortunately not being barcoded, we aren't able to determine legitimate and authorized—

Mr. Rick Perkins: I get that.

There lies the problem. The industry has been proposing to you, to the minister—she's not here, so I'll have to rely on you, Deputy Minister—traceability for six years. In fact, this last year, they proposed a system. They offered to pay for it and DFO turned them down and instead shut the fishery down.

Why has it taken so long to put in place a system that's been in place in the United States and Maine for years and that the industry itself is offering to pay for?

Ms. Annette Gibbons: We agree on the importance of the traceability system. A traceability system and regulations on possession along the supply chain really go hand in hand. The regulations are what will give us the additional enforcement authorities to prohibit the possession of elvers. The traceability system will allow us to be able to track what is happening across the supply chain.

We need those two pieces. We've been working very hard on it and have made very good progress on the regulations, but there's still work to do.

Mr. Rick Perkins: As part of this enforcement plan that DFO has been working on, did the minister go to Treasury Board for more resources to support the plan and get turned down?

Ms. Annette Gibbons: We have the resources that we have for our C and P, and we prioritize within those resources.

Mr. Rick Perkins: I'll take that as a yes. Colleagues around the cabinet table refused to give more resources to DFO to do it, so unfortunately your hands are tied with very limited resources.

Can you tell me how many enforcement officers have been added to DFO in the last eight years?

Ms. Annette Gibbons: There have been some added, but I don't know the exact number.

Does anyone have the exact number for the last eight years?

Mr. Brent Napier: Eight years, no...but over the last two or three we've had a number of troops graduate, which is between 60 and 90 officers, who've been added to the mix. We would have to give you a written response for the rest.

Mr. Rick Perkins: Could you? God bless all of the 60 to 90 for doing that and taking it on.

The incredible thing is that DFO has added 443 people to HR, putting HR over 800 people in that time. They have over 1,200 people now in corporate services, finance and administration, a huge growth in the bureaucracy in Ottawa.

Meanwhile, in regard to the great focus on enforcement, enforcement is key to any sustainable fishery and without it you cannot have a sustainable fishery. The priority of the department minister, under the six ministers and now your leadership, is to put it on administration and not on enforcement. Why?

Ms. Annette Gibbons: We have had a tremendous growth in the size of—

Mr. Rick Perkins: The department...that's for sure.

Ms. Annette Gibbons: —staff in the department in the last eight years. As is typical when you're increasing your various functions—

Mr. Rick Perkins: You've grown from 10,000 to 15,000—

The Chair: I'm sorry. I'm going to interrupt.

Mr. Perkins, you've gone well over your time frame. I tried to allow an answer, but you kept asking questions.

I'll now go to Mr. Hardie for five minutes or less, please.

• (1645)

Mr. Mike Kelloway: That would be Mr. Kelloway if that's okay.

In terms of traceability, I look at this whole situation like a tire, and then you have the spokes. The spokes are the solutions or the remedies or the things we want to put in place to prevent illegal actors from harvesting and exporting. Traceability was brought up today—that's one.

In the last round of questioning I got in my Maine question, but I think this is an opportunity.

Let's take a look at Maine. What have they done in terms of traceability, but what are the other things that make up their plan of attack in terms of enforcement and in terms of focusing on collaboration with indigenous people? Also, what is their overall plan to negate what is happening in Nova Scotia and New Brunswick? What could we learn from them, and are we actually focused on that as a best practice?

Ms. Annette Gibbons: I'll start and then turn it to Doug.

Maine has really taken the time to develop controls all along the supply chain so that there wouldn't be leakage and the ability to do this sort of laundering that we've talked a lot about today.

Maine also has a very robust traceability system. Basically people have a card that they need to swipe when they are registering legal product, so there is this constant tallying up of legally caught catch. As I mentioned earlier, there is this sort of integration between the regulations that provide the controls all along the supply chain, with the very robust traceability system to track everything happening along the supply chain. It's the key to Maine's—

Mr. Mike Kelloway: Can I interject just for one second? Then I think you're going to go to Mr. Wentzell and I want you to do that.

My understanding—and tell me if I'm wrong—is that there was a period of time where Maine put a pause on their elver fishery to ensure that there wasn't just one solution but a suite of solutions. It wasn't just a guinea pig and let's see what happens this year, but was to effectively get it right for the licence-holders, for the first nations and for the communities that reside in the areas where the elver fishery takes place.

Can you talk about that for a second?

Ms. Annette Gibbons: That's right.

Go ahead, Doug.

Mr. Doug Wentzell: Thanks for the question.

Yes, we've been working closely with the State of Maine, and our fisheries management team has built our approach off theirs, in terms of the regulatory measures and the work towards a traceability system. The member is absolutely right—Maine has had a number of different closures of their fishery over the years, and it's taken them about six years to develop what they have right now. We do have some added complexity from a Canadian context in terms of the size of the fishery, in terms of indigenous consultation and in terms of different jurisdictions.

The State of Maine manages the harvest, the buying and selling, all of those elements, so we do have a few added components that we need to work through. However, we're certainly not reinventing the wheel. We've been able to learn a lot from the State of Maine, and we're very grateful for that.

Mr. Mike Kelloway: Excellent.

I want to pivot for a second. MP Barron brought this up in an earlier question. Do we have any quantifiable data on the impact of all of this illegal fishing of elver? Do we have any sense of the stock? Obviously, common sense would be that the impact to the stock is really serious, but that's my assumption. That's my opinion.

Do we have any data on the impact of what's been happening over the last four years in terms of that stock?

Mr. Doug Wentzell: Again, thanks for the question. We do monitor elver returns in one of the key rivers in East River, Nova Scotia. That's our key indicator to make sure that the stock continues to be somewhat stable. We have seen continued elver abundance at a similar level in terms of returns, so that's encouraging. What we're not seeing are those returns translating into large eel abundance, and we need the large eels to return to the Sargasso Sea to complete that life cycle.

All that to say, managing removals from the fishery continues to be an important factor in terms of conservation. That's why for unreported catch, unauthorized catch, some of the numbers that we've seen in different years that have basically resulted in the closures that we've seen, part of those drivers have been around the conservation concerns in terms of removals from the fishery.

• (1650)

The Chair: Thank you, Mr. Kelloway.

We'll now go to Madame Desbiens for two and a half minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

I'm wondering about the future of fisheries in general. In Quebec, in particular, we're having a good slap in the face, as we say back home. We're closing a fishery because it's too illegal: that's the gist of the situation. They've closed the mackerel fishery, they're almost closing the shrimp fishery, and the redfish compensation isn't enough. We're wondering whether redfish will survive in the long and medium term. At the moment, a whole range of problems means that we're three shakes away from saying that we're in the middle of a fisheries crisis. Faced with this prospect, the fishers who are listening to us don't have any alternative solution, and they don't have many anchor points to bounce back on the business front. Indeed, these people are in business, they earn their living, and there are villages that depend on that.

The elver case is a bit of a special case, where there's a lot of intimidation and "dark" markets. How do we prioritize the survival of the fishing economy when we look at this picture? What makes it urgent to act? Is it the need to protect the resource? Is it the need to keep fishers in place and preserve an economy that contributes to the country's GDP? What should the priority be? Is it people's safety? I put myself in your shoes and wonder where you stand.

Ms. Annette Gibbons: We're extremely aware of the importance of fisheries to coastal communities, make no mistake. We know very well that the fishery is paramount to the economy of these regions. That's why, in our policy frameworks and fisheries legislation, we take into account the socio-economic impacts of fisheries in everything we do.

There's no doubt that there's a lot of pressure on species and stocks. This is due, in part, to climate change. There's a lot of talk about it these days, particularly among fishers. In general, there are other pressures too. We try to mitigate them in all the policies and measures we adopt, including the owner-operator policy, which aims to ensure that benefits are shared in communities.

The redfish decision did include a section to support shrimp fishermen, who are going through a very difficult time. In each of our decisions and more global policies, we think about the impact on communities and their fishers. We try to do what we can through our decisions.

Mrs. Caroline Desbiens: Are we in the process of—

[*English*]

The Chair: I'm sorry, Madame Desbiens. You're done. You had a two-minute question and a two-minute answer. That's a good way to stretch out a two-and-a-half-minute question period.

We'll now go to Ms. Barron for two and a half minutes or less, please.

• (1655)

Ms. Lisa Marie Barron: Thank you, Mr. Chair.

Perhaps, Ms. Gibbons, I could get you to answer my previous question around the learnings from the 2019 conflicts around the lobster fishery.

Naiomi Metallic is an associate professor and chancellor's chair of aboriginal law and policy at Dalhousie University. She was here recently speaking to us in relation to the illegal, unregulated and unreported fishing, which, of course, is completely interconnected with what we are talking about today.

In some of the testimony that she provided, she shared the concern that some of the discussions have been one-sided, often equating indigenous fishing with illegal, unreported and unregulated fishing. She pointed out that:

This entirely overlooks that we are talking about constitutionally protected rights that require respect and implementation by governments, especially so given Canada's passing of the act on the UN Declaration on the Rights of Indigenous Peoples.

I'm wondering if you can provide some comments and thoughts around that. I'm happy to get further written information as well after the fact.

Ms. Annette Gibbons: There are certainly a lot of learnings that come out of really difficult situations like that.

Doug was managing our region during the height of a very tense period and may add some important observations. They were managing in the moment and figuring out how to diffuse the tensions, but I think that, over the longer term, we focused on a few things.

The most important one is understanding what indigenous communities are looking for in terms of access to the fishery and finding ways to support that. We have done a fair bit of movement on moderate livelihood through rights and reconciliation agreements in the last few years and also through these moderate livelihood fishing plans, which are not formal agreements but are understandings and kind of set out a vision for the community in terms of how they would like to be involved in the fishery and for the department in finding a way to support them to move toward those objectives. That's a really important piece.

We recognize that there's great interest and that there may be impacts on non-indigenous communities when changes are made in terms of indigenous participation. We have frequent dialogues, and we've recognized that we have to be open about what we are doing and why we're doing it and take the time for those conversations.

I will say that, in my own exchanges with fish harvester associations in moderate livelihood regions, if you will—and this can play across the country on reconciliation more generally—my observation is that people really do want to try to find a way to reconcile and to provide more realization of the objectives of indigenous communities. There is genuine support for that. There may be differences in approach and phasing and those sorts of things, but there is that support.

I often meet with the leadership of fish harvester associations, and they show a genuine willingness to find solutions and work with their members to be able to bridge some of those divides.

I think what I would say is that everyone realizes that these are groups that are living side by side and fishing side by side. They're working together on wharves, and they really want to try to work together in harmony. They have many success stories that they will share on both sides, and that's very encouraging to hear.

We have to keep at that. We have to keep those dialogues going, and we have to do it in a way that's respectful of both groups.

The Chair: Thank you, Ms. Barron.

You outdid Madame Desbiens that time.

We'll now go to Mr. Small for five minutes or less, please.

Mr. Clifford Small: Thank you, Mr. Chair. My question is for Ms. Gibbons.

Is it not the role of your department and your minister to protect the livelihoods of harvesters and to protect the economic output of the fishing industry? Isn't that one of your big roles?

• (1700)

Ms. Annette Gibbons: The role is focused on the management of the resource. We take into account, of course, the socio-economic reality of the management of the resource, and the interests of communities are very important.

Mr. Clifford Small: You've known about these issues for several years, and they've basically mushroomed. You've had over a year now to come up with a management plan. Why is a year not enough?

You've had nearly a 50% increase in your staff, over a doubling in DFO's budget since 2015, when this government was elected. What do you need to get the job done? Is it possible that you can do the job?

Ms. Annette Gibbons: I would say—and it's a point I made before, not to put everything on this—the regulatory process is really the key determinant of the speed at which we go.

There are, as you know, Mr. Chair, steps that we follow when we're bringing in regulations, and they take time. Regulatory processes typically take more than two years.

Mr. Clifford Small: I heard you, when you were talking to Mr. Perkins, talk about a traceability system. The elver harvesters themselves identified two contractors who could have provided traceability to you. Did you speak to either one of those contractors? Did you let them know that you had this traceability system out to tender?

Ms. Annette Gibbons: I'll ask Adam about conversations. I know there were definitely conversations with the elver licence-holders on traceability systems, and we were working together on what we could do.

I think that, ultimately, because the department was working on the regulations, and the regulations and the traceability system are two sides of the same coin, to do traceability without the regulations is limited.

Mr. Clifford Small: Did you locate anyone who could bid on this?

Mr. Adam Burns: As the deputy minister indicated, there are two parts to it, and certainly the regulatory piece is necessary in order for it to be mandatory.

Mr. Clifford Small: Did you identify anyone who could provide the traceability?

Mr. Adam Burns: In parallel to the development of the regulations, we were actively engaged in sourcing a traceability system that would—

Mr. Clifford Small: Did you locate anyone? Did you find anyone?

Mr. Adam Burns: A number of options were being—

Mr. Clifford Small: Yes or no, is there someone who can provide this service?

Mr. Adam Burns: There are a number of providers that would be appropriate for providing this service. As I believe the parliamentary secretary mentioned earlier, there is a system that was used in Maine, so those options were being evaluated.

Mr. Clifford Small: I have another question for you. If you start cleaning up poachers now, could you have them all cleaned up by the middle of April so that the licensed harvesters could then start fishing mid-April?

I'm sure it will be too tempting for the poachers not to go. Is it not possible that you could clean most of them up by getting serious with it, so that you can have a regulated fishery beginning April 15?

Ms. Annette Gibbons: I'm not sure that there's capacity to really have everyone taken out of... Even if people were charged, they may still—

Mr. Clifford Small: How many four-by-four pickups did you take last year on the spot?

Ms. Annette Gibbons: We can come back to you with...

Mr. Clifford Small: How many ATVs did you take on the spot?

Ms. Annette Gibbons: For a lot of these really detailed questions on enforcement, I think we would have to go back and consider how much is in the public domain—

Mr. Clifford Small: Are your officers trained and armed, like police officers?

Ms. Annette Gibbons: They're trained and armed, yes.

Mr. Clifford Small: They're trained and armed. Do you think they're afraid to do their job?

The Chair: Thank you, Mr. Small. Your time has expired.

Mr. Morrissey, you have five minutes or less, please.

Mr. Robert Morrissey: Thank you, Chair.

Ms. Gibbons, how many jurisdictions enforce a regulated elver fishery? Is it just Canada? I take it not.

• (1705)

Ms. Annette Gibbons: No, there is elver fishing in several European countries that is regulated, and in the state of Maine as well. There are different jurisdictions. There is a—

Mr. Robert Morrissey: Thank you.

I want to go back to traceability. Am I correct that Maine has had a traceability system for some time? You're saying yes, so for how long?

Ms. Annette Gibbons: Yes. I'm not sure. We could come back to you on the exact date. I think it's been in place now for several years.

Mr. Robert Morrissey: I assume they put it in place.... Were they dealing with a significant illegal fishery in Maine?

Ms. Annette Gibbons: Yes, they had the same situation.

Mr. Robert Morrissey: Okay, so why...? Can you tell the committee if there are any tools that you are missing in DFO or other departments that would allow you to effectively get control of what, by any stretch of the imagination, was an extremely unlawful summer?

Ms. Annette Gibbons: The regulations giving us the ability to require a licence for possession all along the supply chain is a really crucial missing piece.

Mr. Robert Morrissey: Could you expand a bit more? I would assume it would have been....

Ms. Annette Gibbons: That is not the case right now.

Right now, we're first point of possession, which is the harvest and the sale from harvest to the first buyer. However, as you keep going along, and these—

Mr. Robert Morrissey: Who would have jurisdiction over those various other steps?

Ms. Annette Gibbons: That is not regulated at the moment.

Mr. Robert Morrissey: No, but who would have jurisdiction to regulate? What's the regulatory framework you would be looking at?

Ms. Annette Gibbons: That's what we're proposing to bring in now.

Mr. Robert Morrissey: Yes, you're proposing to bring it in, but explain a bit more what you plan on bringing in, because often it is in the regulations where the control must be. We've seen some of the unreported situations in the lobster fishery, which is the buyer and a processor, which is provincially regulated.

Are we seeing the same in the elver fishery in the requirement that you referenced and more regulatory...?

Ms. Annette Gibbons: There is a gap in the regulatory framework now. Under the Fisheries Act, our intervention is limited to the harvest and that first sale. As you go further along—

Mr. Robert Morrissey: You only have jurisdiction over the harvest. Where would most of the profitable illegal activity be occurring, in your opinion? How far down the road from the fisher? I see a smile from Mr. Wentzell, so you may want to comment.

Ms. Annette Gibbons: Right at the harvest there's a huge margin, which is why the poachers are out there, but there would be further points along the chain.

Mr. Doug Wentzell: To build on the deputy's response, certainly provincial jurisdictions have the authority in terms of the buying and selling aspect of seafood. We've also talked about colleagues at CBSA in terms of export—

Mr. Robert Morrissey: Is it the same with the elver?

Mr. Doug Wentzell: That includes any harvestable product. One of the reasons we're proceeding as a department with federal regulations is that we know this product exits from Canada at different points, so to try to work with multiple provinces to get various regulatory tools lined up would take us far longer. That's exactly why we're proceeding with federal regulations.

Mr. Robert Morrissey: I appreciate that.

I have a bit of time left. In a possible closure, how many fishers whose only source of income is the elver would be impacted? Do we know that?

Ms. Annette Gibbons: There are indigenous communal commercial licence-holders, but there are eight licence-holders. They employ people to fish—

Mr. Robert Morrissey: Are there only eight licence-holders, and this thing is a mess?

Ms. Annette Gibbons: They employ people to harvest on the river. It's not just eight people alone. They employ people as well.

The Chair: Thank you, Mr. Morrissey. You're right on the mark. I'm glad I caught you.

We'll go to Mr. Perkins for five minutes or less, please.

• (1710)

Mr. Rick Perkins: I think those eight plus the three communal.... The eight, anyway, employ 200 to 300 harvesters who do this for them.

Deputy, you said you've started the regulatory process, and the speed of that is two years. Is that two years from now? We've seen six years of poaching escalating every year. Why did it take six years to start another two-year process? Are you telling us we're likely to have a closure until that's done?

Ms. Annette Gibbons: We have accomplished quite a bit in the regulatory development process in the past year, so we are really pushing. I can't speak about approvals, because that's outside my control, but certainly we are really pushing to move as quickly as we can on the regulation.

Mr. Rick Perkins: Do you have draft regulations you're pushing through the process now?

Ms. Annette Gibbons: We are very advanced in the regulatory process.

Mr. Rick Perkins: Okay. I'm going to take a bit of a change of pace, if I could.

Dr. John Reynolds, who's the chair of COSEWIC, was before this committee last year, and I asked him about elvers. Some of what I've read in your responses to the industry has been that we have to be very cautious, that we can't increase the TAC to give more access, because we're going through a species-at-risk and COSEWIC process, although there are enormous and plentiful elvers on the east coast.

I asked if they could separate, through the SARA and COSEWIC processes, the elvers where there is a challenge in Ontario and the St. Lawrence, because of the damming of lakes and that kind of thing, versus the east coast, where that doesn't happen. He said yes, it is for two reasons: One, they are in more abundance and we can separate that in the process, and two, they probably have slight genetic differences, although they are all born in the same place.

Why is it that when the previous minister wrote me back on that issue, she said there was no way to do that?

Ms. Annette Gibbons: There was no way to separate out the two—

Mr. Rick Perkins: It's the Atlantic from the inland elver issue.

Ms. Annette Gibbons: I can't speak to that. I would be happy to provide you with more detail. I don't know if anyone here—

Mr. Rick Perkins: We've been told you will not issue it and they will not do a DU, which is to designate separately....

Ms. Annette Gibbons: Right.

Mr. Rick Perkins: It's not because of any issue or science behind it, because it doesn't appear you have any science.

Ms. Annette Gibbons: There are science assessments on the eel population, for sure.

Mr. Rick Perkins: It's on eels—not elvers.

Ms. Annette Gibbons: It's the same population.

Mr. Rick Perkins: Yes and no.... Every year the only science that goes on for elvers has been on the East River in Chester. The East River at Chester is where the industry has paid for the science that has been used by the department.

Why didn't you at least put the enforcement on the East River so the science could be done last year?

Will you ensure that river is safe, so the science can be done this year?

Ms. Annette Gibbons: The river is included in our overall enforcement plan. Specific sites would be very much the determination of conservation and protection based on the intelligence and the risk assessment of where to put resources at any given time.

Mr. Rick Perkins: In the memo to the minister last year to close the elver fishery down, it said that they would leave that open so

the science could be done that year, yet no enforcement was done on that river, so no science was done.

I'd like a guarantee that the science will be done this year on that river.

Ms. Annette Gibbons: The science is under way. We have plans to continue the science on the river. There's no change in that.

Mr. Rick Perkins: You have plans, but there was none last year. You're guaranteeing me here that you will do the science on the East River this year.

Ms. Annette Gibbons: Maybe I'll take it back, Mr. Chair. I don't want to mislead anyone.

Mr. Rick Perkins: Every day last year.... Here's just a sample.

The minister and Mr. Kerr were emailed by the industry with specific reports of poaching going on in the rivers. They have live, active cameras. These are not the hundreds of rivers that aren't licensed, which had poaching. They're these rivers.

They never got a response once from DFO or DFO enforcement. Not one of the people on here was arrested, including the case I brought up last week, where the fyke net was stolen by the elver fishery. That was reported to DFO and no charges were laid against the individual who stole the net, even though it had a GPS tracker on it and a DFO licence. Why is no enforcement happening when the industry complains?

One of these rivers, the Sackville River, is two minutes from your enforcement office, yet nobody ever came.

• (1715)

Mr. Brent Napier: Thank you for the question.

I can't speak to what happened last year, but I know that there is a plan in place this year that contemplates a number of improvements and additions of resources as well.

Mr. Rick Perkins: You were in charge last year. You can't explain—

The Chair: I'm sorry, Mr. Perkins. You have gone way over time.

Mr. Rick Perkins: You didn't stop the clock on—

The Chair: Yes, I did. Now your time is expired.

We will now go to Mr. Hardie for five minutes or less.

Mr. Ken Hardie: Thank you, Mr. Chair.

You all appear so calm and we all appear so frustrated down here because we see a recipe for simply a repeat of what's been happening and escalating over the last number of years.

Regulations and laws are what they are, but there is so much money involved here that people will ignore them. I want to get your help in painting a picture for us of an enforcement action.

Somebody is fishing on the river. They don't have a licence. Enforcement shows up—either DFO or RCMP, or both. What happens? What are the enforcement options available to the officers when they apprehend somebody fishing without a licence?

Mr. Brent Napier: There is a continuum of options available. If the circumstances are safe to proceed.... You mentioned the RCMP. In those cases, I think we would look for authorization. Where it is absent, we would then move.... There's an inspection component to it. Inspection is a verification of compliance and making sure everything is as it should be. If it's not, we move into "we have reason to believe". That's where the investigation component comes in. Evidence is collected, and so on and so forth. Then based on—

Mr. Ken Hardie: So on and so forth.... Does that automatically mean they're marched off to a paddy wagon somewhere and taken away, or do they just say, "Hey, take the rest of the night off, and we'll see you tomorrow night?"

Mr. Brent Napier: Again, it would be circumstance-based and based on the officer's discretion, but the magnitude of it would be proportional. It could be a warning, depending on the offence, all the way through to, as you mentioned, seizures and things of that nature.

Mr. Ken Hardie: If that's the routine, and from the sounds of things neither the enforcement nor all of the rest of the justice supply chain is really equipped to handle any large volume of apprehensions, it would appear that—I'm sounding like a Conservative here—we have a revolving door. We, unfortunately, have a situation where people say, "Gee whiz, that's not a good thing. Please don't do that again, and we will see you tomorrow night."

That's the impression we have. Can you tell us we're wrong?

Mr. Brent Napier: Thank you.

I mentioned that the officers who are seen.... The public sees some of the enforcement action, but it does not see all of it. There are elements both at the facilities and at the exit points, and then the intelligence that's being gathered as well. There's a whole continuum. It's not just of the officers appearing on the water, but also those gathering intelligence and trying to understand where the elvers are going, which is an important part of it. Then the deterrent impact is stopping it along the way.

At source, of course, with the number of streams it's far more difficult to stop it. That's why we strategically deployed resources throughout the chain to try to disrupt that activity throughout the chain.

Mr. Ken Hardie: I'm sorry, but with respect, I don't see or hear much about disruption. Disruption would be hauling somebody off and taking the keys to their truck. I get the sense that the discretion being exercised does not result in that probably in the majority of cases.

I would like you guys to be as frustrated as we are. I would like to see examples made because that will send a far stronger signal to the community than new regulations, etc., which they will ignore anyway because there's simply too much money to be made and they are making lots of money from the sounds of things.

That's all I have.

The Chair: Thank you.

We will go to Madame Desbiens, for two and a half minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

My comments are along the same lines as Mr. Hardie's. We want to believe that regulations will change things, but we all have enough experience to know that there's nothing easier to get around than a regulation.

Personally, I'm afraid that the most honest people, those who don't flout the regulations and have developed fishing by the sweat of their brow, are the ones who are penalized. As I said earlier, this is also the case in other types of fishery. They're always the ones who are penalized: their fishery is closed down and their licences taken away, even though these people often behave in an exemplary way. I find this frightening, because in the end there will be frustration, anger and intimidation. We're going to end up in an irreversible impasse.

In this context, and in a state governed by the rule of law like ours, what makes you think we can change things in the more or less short term?

• (1720)

Ms. Annette Gibbons: We certainly don't intend to penalize anyone. We understand the impact this can have on those who are licenced.

There are bigger issues, and we need to find a way to deal with them in the short term. The elvers will be arriving soon, so we need to do something in the short term. In the medium term, over the next few years, the plan is to modify our tool kit to include stronger tools, more binding regulations and greater participation by indigenous communities. We need to manage fisheries differently.

These are the three solutions we are looking at, and we want to make rapid progress.

[*English*]

The Chair: Thank you, Madame Desbiens.

We will now go to Ms. Barron for two and a half minutes or less, please.

Ms. Lisa Marie Barron: Thank you, Mr. Chair.

My question is for Ms. Gibbons. This may be a bit of a repeat, but perhaps you can refine it a little bit for me.

It's clear that Fisheries and Oceans is not responding to all of the reports that are coming forward around poaching, based on the information we're receiving. How is it decided which reports to respond to?

Can you walk me through that process of when a report is received, the actions that are taken, or the lack of action, moving forward?

Ms. Annette Gibbons: This is very much determined within the chain of command of the conservation and protection branch. If you agree, I will ask Brent to provide those details.

Mr. Brent Napier: As you can imagine, in addition to those, C and P at the detachment level receive countless...so there's a triage process that occurs. They look at species, risk, where the source is and a series of other criteria to help to support whether this is something that a fishery officer should look at, etc. That's the piece there.

When something is high risk, seems plausible and is something we should take action on, then officers are assigned to go out, conduct an inspection and move from that position.

Ms. Lisa Marie Barron: This may be a bigger question, so I'll ask it quickly. We were talking about there being eight licence-holders, and I heard my colleague say that there are 200 to 300 harvesters. Can you explain to me the economic chain of how that all works out? I just want to understand.

Is there a lot of money being made here? Are the harvesters the ones making a lot of money, or is it predominately the licence-holders, which is the system that we tend to see in fisheries?

Ms. Annette Gibbons: The landed value of elver in recent years—and it has gone up over time—that went to the eight licence-holders was about \$45 million. That did include a small portion, which was close to 24% last year, that went to communal commercial harvesters in indigenous communities, but the vast majority of that \$45 million went to the eight licence-holders.

As I believe Mr. Perkins remarked, the eight licence-holders do hire people to go and fish on the rivers. We understand that there are about 200 people, give or take, whom they employ to do that. They each have their quota, their share of the quota, and then they can go and fish it according to the management regime that's been set by the region.

• (1725)

Ms. Lisa Marie Barron: They're not making millions.

Thank you.

The Chair: Thank you, Ms. Barron.

That concludes our line of questioning for today's meeting. I want to thank our guests: Mr. Burns, Ms. Gibbons, Mr. Wentzell and Mr. Napier.

Go ahead on a point of order, Mr. Perkins.

Mr. Rick Perkins: We are to go to 5:30. Perhaps the government and our side still have.... Within that, we can ask to split that time up and try to ask a couple more questions. The committee is scheduled to go to 5:30.

The Chair: We have four minutes left.

Who's going for two minutes from your side? You can have one question each.

Mr. Mel Arnold: I'll start right away.

Ms. Gibbons, the decision today to, basically, not open the fishery or to not reissue the licences is said to be a \$100-million decision. What justification do you have for that?

Ms. Annette Gibbons: At this point it is not a decision. It's not a final decision. It's a statement of intention and consultation.

Mr. Mel Arnold: The decision is that there would be no reissuance of licences this year. That's the minister's letter.

Ms. Annette Gibbons: Yes. The letter says the intention is not to issue licences this year, so not to open, essentially.

Mr. Mel Arnold: That's correct.

Ms. Annette Gibbons: The figure you're referring to.... I'm not sure. I suspect it's beyond the landed value. As for the justification, the challenges of the incentives in this fishery for illegal poaching, managing it in an orderly way and the conservation of the stock and the safety of communities are what are behind that announcement.

The Chair: Thank you, Mr. Arnold.

We now go to Mr. Kelloway for a question.

Mr. Mike Kelloway: Thanks.

I actually have two very quick questions—

The Chair: You get one.

Mr. Mike Kelloway: I have one quick question relating to the strategy for this year. I know we don't want to telegraph our moves for those who are out there thinking about illegally fishing. At what point will people get a sense of what the strategy is on the water and on the land?

In terms of the second piece, when do you think the suite of offerings—in terms of solutions for, obviously, next year—will be communicated?

Ms. Annette Gibbons: In terms of the strategy, the officers are out in communities on the rivers, and people see them. They get a little bit of a sense of that.

In general, I think there's a certain amount of information that's shared in the public interest, and then there's a certain amount of information that, from a risk-based enforcement perspective, is maintained within conservation and protection.

In terms of what will happen with the tool kit, we're moving really quickly. We hope to continue on quickly through the regulatory process and meet all of the requirements that we need to be able to bring in new regulations and to continue the conversations with the harvesters, licence-holders and indigenous communities on their interests.

The Chair: Thank you, Mr. Kelloway. That concludes our questioning for today.

I again want to thank Mr. Burns, Ms. Gibbons, Mr. Wentzell and Mr. Napier for coming from the department each and every time we invite you and sharing your knowledge with the committee. I hope it adds to our final report.

On Thursday, we will commence our study of Yukon salmon, with witnesses.

The meeting is adjourned.

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