

**STANDING COMMITTEE ON
FISHERIES AND OCEANS**



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

**COMITÉ PERMANENT DES
PÊCHES ET DES OCÉANS**

February 22, 2023

The Honourable Joyce Murray, PC, MP
Minister of Fisheries, Oceans and the Canadian Coast Guard
Wellington Building, Suite 508
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister Murray:

I am writing to you in my capacity as the Chair of the House of Commons Standing Committee on Fisheries and Oceans (the Committee) to convey the Committee's concerns related to the 2022 closure of the Atlantic mackerel fishery in Atlantic Canada and the Gulf of St. Lawrence.

During two meetings, held on 4 November 2022 and 15 November 2022, the Committee heard from 15 witnesses. Witnesses included academics, representatives from non-governmental organizations, industry associations and officials from Fisheries and Oceans Canada (DFO). The Committee also heard from fishers who had been personally impacted by the closure of the Atlantic mackerel fishery. The Committee received two briefs on the matter.

According to DFO officials, the 2022 closure of the Atlantic mackerel fishery was necessary to rebuild the stock that had reached a historic low. However, the Committee notes that, according to DFO stock assessments, Atlantic mackerel stocks have been in the Critical Zone since 2011. Witnesses shared that not only has the decline of Atlantic mackerel been evident for some time; they also shared that, in their view, the decline could be attributed to DFO's fisheries management decisions. A rebuilding plan was released in 2020 for Atlantic mackerel, but even the lowest objective of the plan – seeing growth in the stock – was not achieved in 2021. Indeed, the Committee heard that the abundance of reproductive-aged fish in 2021 was the lowest ever recorded.

The Committee heard that there is a discrepancy between fishers' observations and DFO's partial assessment of Atlantic mackerel abundance. Witnesses shared that fishers had observed Atlantic mackerel in larger numbers in recent years in various areas in Atlantic Canada where DFO has not traditionally assessed the stock. The waters around Newfoundland and Labrador, particularly around northeastern and southern Newfoundland, were specifically mentioned.

The Committee heard that the commercial Atlantic mackerel fishery moratorium was announced in the absence of scientific assessments normally used by DFO to inform these types of fisheries management decisions. The Committee heard that the 2020 egg survey was not performed because of the COVID-19 pandemic and that the natural mortality of Atlantic mackerel has not been the object of a formal study.

The Committee heard that DFO has not adapted its science and assessment methodologies in response to the changes in the marine ecosystem due to climate change. These methodologies may therefore not accurately record the changes in Atlantic mackerel distribution and spawning patterns. Witnesses underscored the importance of undertaking spawning surveys at appropriate spawning temperatures for Atlantic mackerel. They worried that changes in ocean temperatures, the result of climate change, might be changing spawning behaviour, leading to a disconnect between Atlantic mackerel spawning and the traditional timing of the surveys meant to study it. Keith Sullivan, then president of Fish, Food and Allied Workers-Union, believed that efforts should be made to ensure that egg surveys take place when Atlantic mackerel are spawning, sharing the following with the Committee: "We all know that a date on the calendar doesn't tell mackerel when to spawn, it's the environmental conditions and that can change." The Committee believes the timing of DFO assessments should therefore coincide with the timing of natural processes and not departmental calendars.

Atlantic mackerel fishers expressed to the Committee a desire and openness to participate more actively in scientific activities, such as data collection, to capture shifts in the abundance and distribution of this highly migratory species. However, the Committee also heard that various collaborative projects suggested to DFO by fishers had not been pursued by the department. Witnesses also emphasized the loss of access to samples and data previously collected in logbooks because of the fishery's closure. Witnesses suggested that DFO continue to consider the use of acoustic sounders to assess Atlantic mackerel populations. This method has been successfully used by other countries.

While DFO officials acknowledged that seal predation of Atlantic mackerel contributed to the suppression of Atlantic mackerel stocks levels, they also stated that it has not been adequately studied. For example, the Committee heard that current studies on seal stomach contents in the Gulf of St. Lawrence are undertaken in the winter, when Atlantic mackerel is no longer found in those waters. Additional information collected about the interactions between seals and Atlantic mackerel would support a better understanding of the impacts of seal predation on

Atlantic mackerel population dynamics. Witnesses told the Committee that a pinniped management plan should be included in Atlantic mackerel rebuilding plans.

Melanie Giffin, marine biologist and industry program planner at the Prince Edward Island Fishermen's Association (PEIFA), told the Committee that: "It has been made clear over the last few years that simply decreasing the TAC [total allowable catch] is not a solution for rebuilding the stock. It's time to start thinking outside the box for new management measures that allow a fishery while also increasing the biomass." She shared various suggestions that had been made by PEIFA to DFO at meetings of the Atlantic Mackerel Advisory Committee (AMAC), starting in 2012. Suggestions included increasing the minimum size, increasing dockside monitoring, increasing enforcement, and additional research on topics such as predator-prey interactions with seals. While PEIFA originally presented the recommendations to the Chair of the AMAC, it now sends them straight to you, in your role as Minister of Fisheries, Oceans and the Canadian Coast Guard, to overcome what was described as a lack of transparency regarding what is shared with you and to ensure the recommendations actually reach you. The Committee wonders if the recommendations presented to the AMAC by PEIFA were adopted, rejected or otherwise addressed and requests that you or DFO officials provide a formal answer to this question to the Committee in writing.

Witnesses expressed frustration that Canada had closed the Atlantic mackerel fishery while fishing of this migratory stock continues in the United States (U.S.) Any Canadian efforts to reduce Atlantic mackerel catches are invalidated when the same stock continues to be fished in the U.S. after its winter migration. Furthermore, the Committee heard that the U.S. does not have a minimum Atlantic mackerel catch size and accounts for Canadian catches before setting TACs for U.S. fishers. The Committee was pleased to hear, during your appearance for the *Supplementary Estimates (B), 2022–2023*, that you are undertaking discussions with your U.S. counterparts and are working towards a more sustainable co-management approach for this transboundary stock over its entire distribution area and requests written updates on progress every two months.

The announcement to close the Atlantic mackerel fishery was made only 48 hours before the fishery was meant to open. Witnesses described the impact of the unexpected announcement; many fishers having spent the previous months investing significant amounts of time and money to prepare for a fishing season that would not occur and would not meet their financial obligations.

All witnesses agreed that the goal of reopening the fishery was a sustainably managed stock that balances the health of the Atlantic mackerel stock and fishers' ability to fish it. The Committee heard that selective fishing gear can support the recovery of Atlantic mackerel stocks while still allowing for a small fishery. For example, gillnets select for a minimum size of fish, and hook and line fishers can easily move away from a particular location if they find that the school being fished has too many small individuals. Seiners, on the other hand, can harvest

whole schools of Atlantic mackerel at once, including fish that are not yet large enough to reproduce.

Witnesses told the Committee that Canada's Atlantic mackerel bait fishery has been mismanaged but should be restored with improved management measures such as improved logging of catches or dockside monitoring. Atlantic mackerel are an important source of bait for other fisheries in Atlantic Canada and the Gulf of St. Lawrence, such as the lobster and snow crab fisheries. The Committee heard that the price of bait mackerel from international markets rose by 32% in 2021. Witnesses believed the development of alternative baits is worthy of more attention because it could reduce fishing pressure on the Atlantic mackerel stock; it could also relieve some financial pressure on bait purchasers if alternative bait sources are more affordable.

The Committee remains concerned that, almost one year after the closure of the Atlantic mackerel fishery, no financial support has been offered to fishers. The closure of the Atlantic mackerel fishery has caused, and will continue to cause, financial hardship to Atlantic mackerel fishers, particularly those who relied heavily or completely on this fishery for their livelihoods. When asked about potential assistance for harvesters if the fishery remains closed in 2023, a DFO official answered that his toolbox does not include assistance for harvesters. While fishers would prefer to be working than to receive government assistance, the Committee believes targeted support for those who incurred costs preparing for the cancelled season or lost income because of the Atlantic mackerel fishery closure is important and appropriate.

The Committee heard that the Atlantic Lobster Sustainability Measures Program, a program that was successful in the early 2000s, could be a good model to follow to rebuild Atlantic mackerel stocks. A similar program could:

- Help the Atlantic mackerel sector restructure and rationalize itself through a licence buy-back program for those dependent on this stock or using the gear most harmful to it.
- Support the collection of data in the context of a changing ecosystem through sentinel surveys or the optimization of selective fishing methods.
- Support the development of alternative bait to be used instead of Atlantic mackerel, for example, the use of safely processed invasive species or manufactured bait.

Considering the testimony heard, the Committee would like to bring the following recommendations, listed by theme, to your attention:

Scientific activities and data collection

1. That, beginning immediately, Fisheries and Oceans Canada, restore all standard science and assessment activities for all fisheries management decisions, especially moratoriums and closures.

2. That Fisheries and Oceans Canada consider the effects of the climate crisis on the marine ecosystem for all scientific data gathering and analyses, including all stock assessments. These processes should account for and adapt to changes in the climate.
3. That Fisheries and Oceans Canada provide resources and directives to ensure that departmental spawning surveys occur at the optimal temperature and in the areas where Atlantic mackerel are spawning to ensure the best possible data.
4. That Fisheries and Oceans Canada examine the discrepancy between sightings of Atlantic mackerel reported by fishers and departmental stock assessments using appropriate scientific means to determine how to improve future processes.
5. That Fisheries and Oceans Canada begin using additional stock assessment methods, including acoustic sounders, to assess Atlantic mackerel populations, as is the current practice in other North Atlantic nations and publicly release the conclusions of these assessments.
6. That Fisheries and Oceans Canada ensure resources and directives are in place to ensure the department adequately studies the predator-prey interactions between seals and mackerel stocks
7. That Fisheries and Oceans Canada undertake an in-depth study of the predator-prey relation between the various seal species and Atlantic mackerel.
8. That Fisheries and Oceans Canada consider the role of professional fishers in surveys and stock assessments and make efforts to include them.
9. That Fisheries and Oceans Canada increase assessment and scientific data collection activities by increasing collaboration with harvesters; by partnering with fishers and corporate fleets to ensure all fishing and stock data is collected appropriately and consistently, factoring the harvest data and observations, experience and knowledge of harvesters; and engaging in transparent advisory processes that include explanations from the department of management decisions.

Decision-making at Fisheries and Oceans Canada

10. That Fisheries and Oceans Canada give weighted value to fish stock observation and data reported by fishers when preparing advice for the Minister on fish stock conservation measures decisions.
11. That Fisheries and Oceans Canada provide fishers with the substantive evidence that the moratorium or closure was based on and explain how that evidence is a better basis than observations made by fishers.

Management of the binational Atlantic mackerel stock

12. That Fisheries and Oceans Canada develop a bilateral stock management agreement with the United States for the 2023 Atlantic mackerel fishing season.

13. That Fisheries and Oceans Canada provide Canadian fishers with equivalent harvest opportunities to any total allowable catches set by the National Oceanic and Atmospheric Administration (NOAA) for 2023 since Atlantic mackerel is managed as one stock.
14. That Fisheries and Oceans Canada co-manage with the United States the overall Atlantic mackerel catch quotas for Canada and the United States.

Reopening the Atlantic mackerel bait fishery

15. That Fisheries and Oceans Canada reopen the Atlantic mackerel bait fishery for the 2023 fishing season and, working with fisher organizations, develop rigorous monitoring protocols that support the conservation of this important stock and accurately record all catch limits established.
16. That Fisheries and Oceans Canada allow the reopening of bait fishing using hook and line in 2023.
17. That Fisheries and Oceans Canada take all possible measures to re-establish an Atlantic mackerel for bait fishery in Canada.
18. That Fisheries and Oceans Canada assess the value and viability of selective fishing of Atlantic mackerel.
19. That Fisheries and Oceans Canada prioritize sustainable methods for the reopening of the Atlantic mackerel fishery.
20. That you immediately direct your officials to establish a strategy to accurately measure harvest volumes of Canada's Atlantic mackerel bait fishery so that the fishery may be reopened with appropriate management processes and measures in place.

Bait alternatives to Atlantic mackerel

21. That Fisheries and Oceans Canada undertake research into alternative baits to ease pressure on Atlantic mackerel stocks as well as financial pressure on fishers.
22. That Fisheries and Oceans Canada consider the use of alternative bait during discussions on Atlantic mackerel stock preservation and rebuilding.
23. That you immediately direct your officials to work with harvesters to develop a strategy for providing fishers reliant on Atlantic mackerel bait with alternative baits sourced from Canadian waters.

Support for coastal communities

24. That Fisheries and Oceans Canada adequately consult, communicate and notify impacted parties when decisions are being made that will affect the livelihood of fishers.

25. That Fisheries and Oceans Canada give sufficient advance warning to the main impacted parties before the closure of a fishery so that they may prepare for it. When this is not the case, a financial compensation or other meaningful support equivalent to the direct and indirect losses incurred by fishers due to the sudden closure of a fishery should be made available and be quickly deployable.
26. That, when ordering a total closure of any fishery, Fisheries and Oceans Canada negotiate a financial compensation package or other meaningful support for those fishers impacted that rely totally on those closed fisheries for their fisher income.
27. That Fisheries and Oceans Canada develop a program like the Atlantic Lobster Sustainability Measures Program for Atlantic mackerel.
28. That you direct Fisheries and Oceans Canada to perform assessments of the economic and social impacts of any decision to reduce or close fisheries and work with Cabinet colleagues to ensure meaningful support is afforded to affected fishers if quota or allowable catches continue to be reduced or eliminated.

On behalf of the Committee, I would like to thank you for taking our concerns under advisement. The Committee looks forward to your response to its question, request and recommendations.

Yours sincerely,

A handwritten signature in black ink that reads "Ken McDonald". The signature is written in a cursive, flowing style.

Ken McDonald, Member of Parliament
Chair, House of Commons Standing Committee on Fisheries and Oceans