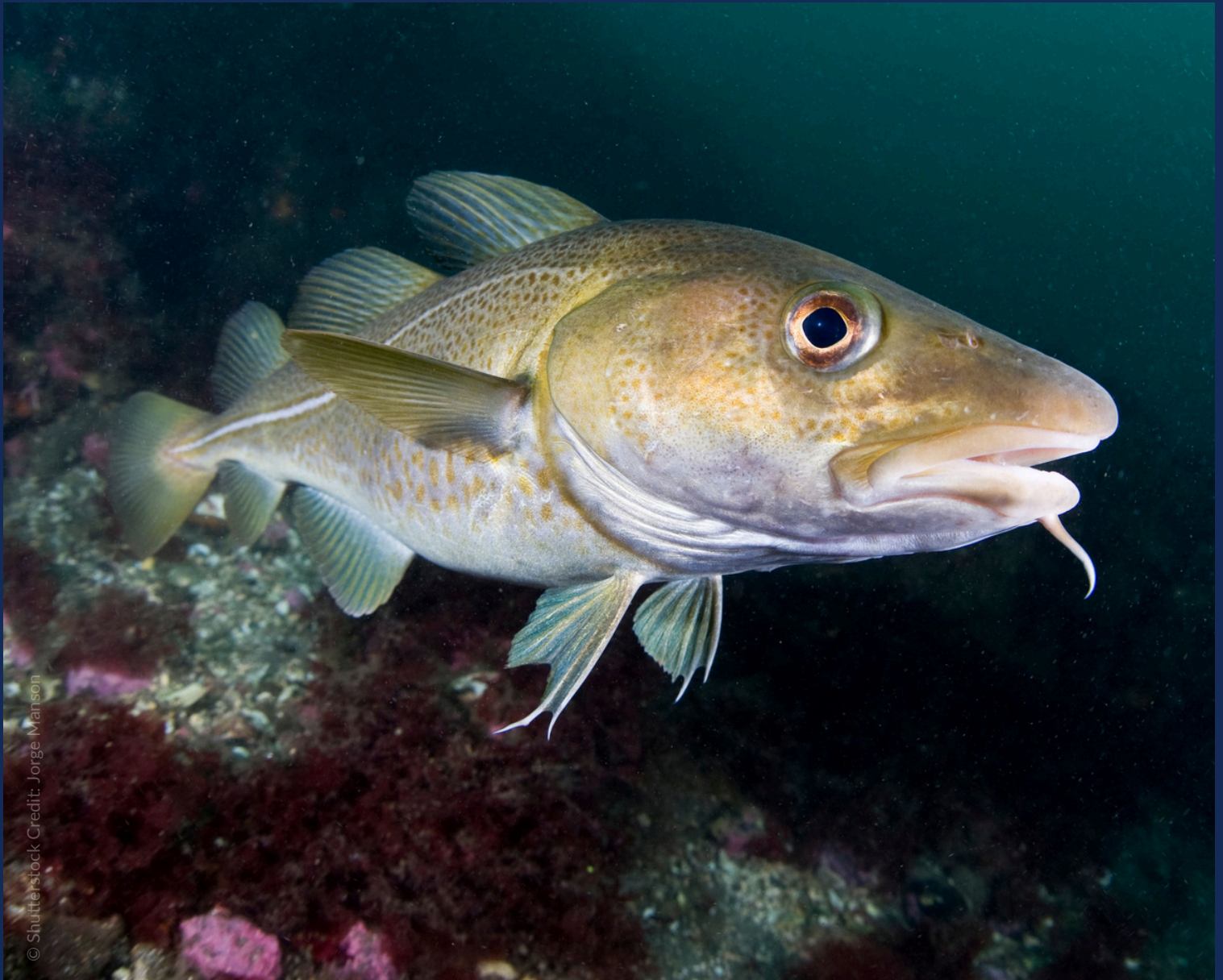




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18 King Street East, Unit 505
Toronto, ON M5C 1C4



Oceana Canada Submission to the Standing Committee on Fisheries and Oceans on the Impact of the Reopening of the Cod Fishery in Newfoundland and Labrador and Quebec



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The 2024 decision to reopen the Northern cod commercial fishery at 18,000 tonnes directly contradicts the Department of Fisheries and Oceans' (DFO) longstanding policies and the *Fisheries Act's* legal requirements to prioritize the long-term sustainability of fish stocks. This decision undermines trust and confidence in DFO's management system, as it directly disregards the department's own science-based advice and best available evidence, violating key principles aimed at preventing the stock from returning to the critical zone. By failing to adhere to DFO's own science, law and policies, this approach risks repeating the very mistakes that led to the collapse of the Northern cod stock in the first place, perpetuating the cycle of short-term gains at the expense of long-term recovery.

Oceana Canada Recommendations for Northern cod management:

1. Follow the principles laid out in the *Fisheries Act* fish stock provisions by creating a robust management plan to rebuild the Northern cod stock to healthy levels and minimize the risk of decline. The management plan must be in line with scientific advice, existing DFO policies and best practices, including a reduction in harvest levels.
2. Rebuild the capelin population - the primary food source for Northern cod. Continuing to set the commercial capelin quota at unsustainably high levels ignores the best available science, DFO policy guidance and local voices.
3. Amend 6.1 of the *Fisheries Act* to clarify the legal requirement to rebuild stocks out of the low cautious zone towards the healthy zone. As a listed stock under the *Fisheries Act*, the intent of the Fish stock provisions is to manage stocks so that they are at a sustainable (*healthy*) level whenever possible.

RATIONAL

The increased quota for Northern cod quota reverses fragile gains, perpetuates 30 years of mismanagement, and disregards DFO science and policies.

- The iconic Northern cod stock has barely moved out of the critical zone after 30 years of mismanagement. Since 2016, growth has stagnated and is now expected to decline further. Increasing fishing pressure under these circumstances will accelerate its return to the critical zone, with no rebuilding measures in place.
- The Precautionary Approach (PA) Policy exists to prevent such situations. A Limit Reference Point (LRP) represents a dangerous threshold to avoid, not a target or a justification for increasing harvests. When the stock trajectory is negative, it signals the need for stronger precautionary actions, not increased fishing.

According to the PA Policy, when a stock is in the Cautious zone and declining:	Northern cod management decision
Management actions must arrest declines in the short term or immediately if low in the zone. Risk tolerance for preventable decline - very low (5%) to low (25%). Development of a rebuilding plan is ready to come into effect if the stock declines further and reaches the critical zone.	The commercial TAC of 18,000 tonnes comes with around 74% risk of decline and 49% probability of being in the Critical Zone by 2027, violating the risk tolerance in the PA policy. The draft rebuilding plan was shelved upon cod's updated assessment and there is currently no

	updated management plan, recovery targets or timelines established.
Harvest rate (taking into account all sources of removals) should progressively decrease from the established maximum and should promote stock rebuilding to the Healthy Zone.	There are no Harvest Control Rules or Upper Stock Reference (USR) defined for this stock. Harvest rates increased significantly from 2023 to 2024 while the stock has not grown since 2016 and is projected to decline.

- Out of all the options presented to the Minister, the highest harvest level and highest risk of decline was selected, which directly violates the PA Policy, disregarding the need for stock recovery. This goes directly against the department’s advice to maintain 2023 levels as described in a briefing note to the Minister.¹ The briefing note also states that there are greater risks of the stock declining below the LRP in any scenario that increases the TAC, which may necessitate lowering the TAC in future years.
- Thirty years after the collapse of this iconic stock, which resulted in “the single largest mass layoff in Canadian history and put about 30,000 fishers and plant workers from Newfoundland and Labrador out of work”² the DFO still has no plan for cod. There is no updated rebuilding plan or Integrated Fisheries Management Plan for Northern cod, no defined healthy threshold (USR), recovery target, removal reference (RR), or harvest control rules that guide the stock to healthy levels. The fishery is not fully monitored³, with coverage of at-sea observers around 5-10%, and there are challenges with logbook compliance. Increasing removals and access without any long-term plan or comprehensive monitoring is textbook mismanagement.

This decision violates the letter and intent of the *Fisheries Act*, including regulatory provisions that apply to Northern cod.

- Continuing high fishing pressure contradicts the intent of Section 6 of the *Fisheries Act*, which requires measures to grow and maintain major fish stocks at sustainable levels. DFO’s own science shows that recent decisions will not result in stock growth and will expedite a return to the critical zone for Northern cod in the next few years.
- The requirements to manage cod appropriately are clear. Subs. 6.1 states “the Minister must implement measures to maintain the fish stock above that LRP, taking into account the biology of the fish and the environmental conditions affecting the stock.”
- In the policy guidelines for subsection 6.1, any management decision must avoid the stock falling below the limit reference point -- and the certainty of that outcome must be greater than 75 per cent. Even if a stock does not have a defined Removal Reference, Upper Stock

¹ A May 6 briefing note obtained by CBC/Radio-Canada shows DFO recommended against reopening the fishery to offshore vessels and increasing quotas. Source: <https://www.cbc.ca/news/canada/newfoundland-labrador/dfo-shirked-guidelines-reopening-cod-fishery-1.7329715>

² <https://www.heritage.nf.ca/articles/economy/moratorium-impacts.php#:~:text=The%201992%20cod%20moratorium%20sparked,and%20Labrador%20out%20of%20work.>

³ Poor catch data quality is reflected by Northern cod being identified as a priority stock for implementing the Fishery Monitoring Policy, a process that is slated to take 5 years to complete.

Reference Point and/or Target Reference Point at the time it is prescribed under the Fish Stock provisions, the management measures for subs. 6.1 must follow the Precautionary Policy (See Table) and avoid stock decline.⁴

- According to the Federal Court, “the evidence in the records... establishes that increased quotas (onshore or offshore) means an increase in the risk of the northern cod stock re-entering the critical zone. Further, that offshore trawling creates a greater risk of overfishing than inshore fisheries methods, if quotas are set too high and if sustainability measures such as monitoring and net size are not in effect.”⁵

DFO is blocking recovery by mismanaging cod’s primary food source: capelin

- The cod quota decision is especially concerning given the recent roll-over of the capelin fishery quota, removing almost 15,000 tonnes of Northern cod’s primary food source every year. The capelin population off northeast Newfoundland and Labrador is at just 9 per cent of its historical abundance with limited prospect of rebuilding under current management.⁶ The availability of capelin is the single biggest factor impeding the recovery of Northern cod and continued mismanagement threatens the future of both populations.⁷

Allowing an 18,000-tonne fishery now robs Newfoundlanders of future prosperity

- The long-term potential of Northern cod vastly outweighs the limited short-term returns. According to an Oceana Canada report⁸ written by one of the world’s leading fisheries economists, Professor Rashid Sumaila, a rebuilt Northern cod fishery could provide 16 times more jobs and have a net present value worth up to five times more than today. With low fishing pressure and favorable environmental conditions, the fishery could recover to healthy levels in as few as 11 years, supporting economic activities worth \$233 million in today’s dollars - more than 10 times the current value.
- The Department states the Minister’s decision was based solely on “year-round” employment.⁹ Not only was there no economic analysis, or even rough estimates, done to substantiate this decision, but the Deputy Minister's briefing note to the Minister emphasizes the weaknesses in any economic argument to open this fishery, stating "investment in processing capacity and market development could be limited, given the projected stock decline in the coming years.”

Background

Oceana Canada is an independent charity established to restore Canada’s oceans to be as rich, healthy, and abundant as they once were and is proud to be affiliated with the international family of Oceana organizations. We respectfully work with civil society, academics, fishers, Indigenous

⁴ Source: <https://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/guidelines-lignes-directrices-eng.htm>

⁵ Source: <https://s3.documentcloud.org/documents/25237796/t-1887-24-ffaw-order-reasons.pdf>

⁶ Source: waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/4126096x.pdf

⁷ Source: waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/4126096x.pdf

⁸ Source: https://oceana.ca/wp-content/uploads/sites/24/ubc_oceana_economics_of_rebuilding-final.pdf

⁹ Stated 19 times, however government officials also state “we don’t have specific, hard data per se. We have general ideas...” in reference to potential economic benefits. Source:

<https://www.ourcommons.ca/DocumentViewer/en/44-1/FOPO/meeting-120/evidence>

Peoples and the government. As an engaged member of fishery advisory committees across DFO Regions, we advocate for science-based fisheries management that rebuilds Canada's fisheries and allows fishers and coastal communities to reap greater economic and nutritional benefits both now and in the future.

Unfortunately, all evidence shows that cod stocks will continue to languish unnecessarily, at great cost to communities and industry alike, until and unless the Minister of Fisheries and Oceans makes management decisions for this stock that are consistent with existing law, policy, and the science advice of their own department.

Oceana Contacts

Josh Laughren
Executive Director
Oceana Canada

Robert Rangeley
Science Director
Oceana Canada

Rebecca Schijns
Fishery Scientist
Oceana Canada