

Hello Penny and Trudy,

Attached is a recent letter sent by the Unified Fisheries Conservation Alliance to Minister Jordan. In it they describe DFO's latest actions in dealing with the "Moderate Livelihood" issue. The recent DFO decision to disregard the scientifically constructed LFA fishing limit regulations and to pull licenses from one LFA and arbitrarily place those licenses into separate Lobster Fishing Areas contradicts DFO's recent announcement of a new path for fisheries policy, which included a single season for all fishers, and no increase in fishery effort (following a one-in, one-out basis). This new DFO effort to with the Potlotek Nation contradicts long held conservation principles and sets a precedent which could totally disrupt the lobster fishery.

In addition to the points being made by the "Unified Fisheries Conservation Alliance" this move by DFO, without any proper consultation with impacted communities, could and will have a negative social and economic impact on coastal communities. Pulling 5 licenses out of area 33 or 34 would have a direct impact on the economies and the tax base of our towns and municipalities, This is another clear example of the Federal Government downloading the social and economic costs incurred as the crown attempts to meet treaty obligations to our coastal communities.

There are at least 17 other Bands, "Nations" now negotiating with DFO for "Moderate Livelihood" fishing rights. The precedent DFO has set with in these Potlotek negotiations creates the probability that banked licenses (Many of which are in areas 33 and 34) will be leaving our communities and going to other LFA's closer to individual Band territories.

I don't believe that the DFO is even considering the impact of their actions on impacted coastal communities. I hope that you will distribute this letter to other towns and municipalities and that each one will write Minister Jordan protesting this change in DFO policy before DFO's actions get totally out of hand.

All the Best  
John

Unified Fisheries Conservation Alliance

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The Honourable Bernadette Jordan

Minister of Fisheries, Oceans and the Canadian Coast Guard

200 Kent St, Station 15N100

Ottawa ON K1A 0E6

June 15, 2021

Dear Minister Jordan:

We write further to our letter of March 15, 2021, wherein we expressed our cautious support of your announcement of a new path for fisheries policy, which included a single season for all fishers, and no increase in fishery effort (following a one-in, one-out basis). The Unified Fisheries Conservation Alliance (UFCA) believed your “new path” could provide certainty and clarity for Indigenous and non-Indigenous fishers to work side by side under a unified conservation and fishery management regulatory regime.

However, the recent ‘understanding’ (the “**Understanding**”) between Fisheries and Oceans Canada (DFO) and Potlotek for an interim fishery seriously undermines the integrated fisheries management principles we have been operating within for decades. UFCA’s members are very concerned about the long-term consequences of the Understanding on fishery resources, and the possibility of similar arrangements in the future.

Most concerning, this Understanding was negotiated on an expedited timeline with no industry consultation whatsoever. As outlined in our previous letters, the UFCA represents thousands of multi-species commercial fishermen and women, fishery associations, and associated businesses from across Atlantic Canada. The Alliance was formed following the events of this past fall to bring together many participants in the Atlantic fishery to speak with one reasonable, coordinated, and moderate voice. It was formed to be able to provide dialogue on precisely this sort of issue, so as to avoid acrimony and miscommunication. It is deeply regrettable that the Minister did not see

fit to discuss a significant departure from decades of fishery policy with us. We recognize that the agreements of the type at issue here are nation to nation, but to completely avoid dialogue with the people who currently make their livelihoods in this fishery is very disappointing and counterproductive. Ignoring the hard-working fishermen and women who are trying to support their families and communities in these areas is not the way to achieve broad, regional stakeholder support.

We were encouraged when your March 3rd Statement of a “New path” and the FOPO report on the concept of a moderate livelihood fishery recognized that any agreements reached with First Nations should not put additional pressure on the resources and not create “new access”. However, the Understanding is a complete contradiction to your statement of “no new access”. It was our understanding that any future access was going to be achieved on an LFA-by-LFA basis. However, DFO has essentially incorporated five LFAs into this agreement with Potlotek because there were no ‘banked’ licenses in the LFA where Potlotek resides (LFA 29), or in the immediately adjacent LFAs 28 and 30. By allowing mobility between these five LFAs, you are allowing a substantial increase in effort beyond the scientifically set levels in these LFAs, which will have impacts on lobster stocks. This seriously undermines the integrated fisheries management principles we have been operating under for decades and we are deeply concerned about the long-term impacts on lobster stocks. You have compromised the integrity of the conservation regime, without scientific investigation, so as to achieve a particular result. The redistribution of effort from LFAs where DFO has banked licenses to fully subscribed areas where Potlotek wants to fish is contrary to the long established and successful conservation regime in the LFA system of management and fails to adhere to the precautionary approach to fisheries management. The Undertaking represents a fundamental shift from what was in your March 3, 2021, statement, and what DFO has been stating for many months. Specifically, DFO has said that, if there were no banked licenses in a particular region, then DFO would have to buy the access with a voluntary buy-back program (i.e., one in, one out) before any access would be granted. While 700 traps might not seem like much, it can have a considerable impact when concentrated on one area such as LFA 29. With approximately 17 banked lobster licenses currently available in the Maritimes Region and many larger First Nation bands yet to reach agreements, we are concerned about the precedent that the Understanding sets.

To be clear, we recognize that we need to be flexible, and that compromise is critical to achieving a long-term solution. We are

completely comfortable with banked licenses being issued to First Nations so that they are used in the LFAs they are normally allocated within. We want to be reasonable, and we want to help to develop solutions that are palatable to all parties. Where we draw

the line, however, is departure from the scientifically based conservation regime by allowing unfettered LFA mobility. We are further not comfortable in the way the Understanding was implemented in an expedited manner, without any industry consultation whatsoever; indeed, our first knowledge of the Understanding was vague, second-hand and we only learned its details by pursuing the matter with DFO officials. Before further understandings or agreements are reached, we believe that open and transparent dialogue with the industry is essential to ensure we understand the plan, our concerns and ideas are heard and considered and broad buy-in is achieved.

We want to work with DFO to better understand how these agreements fit into a transparent, comprehensive, and integrated regulatory

system that will stabilize and conserve the fishery for future generations and ensure fairness and certainty for all Canadians. We welcome the opportunity to discuss these issues as a willing and reasonable stakeholder and share our ideas on how we can work constructively with the Government of Canada and First Nations to come up with solutions that conserve the resource for future generations.

Respectfully yours,

Colin E. Sproul, President

Unified Fisheries Conservation Alliance

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