

# THOSE WHO ARE SAYING NO TO DFO



Demonstration on July 24 in Chéticamp against DFO minister Herb Dhaliwal

The Department of Fisheries and Oceans (DFO) is carrying a broad program to corporatize and privatize the fisheries and oceans, eliminate inshore fishermen and negate the hereditary rights of the First Nations. It is meeting bitter resistance.

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## GULF OF ST. LAWRENCE

# Oil and gas exploration: Who is at the helm?

People concerned about oil and gas exploration in the Gulf united together in a grassroots coalition, Save our Seas and Shores (SOS). It brought together over forty fishery, native, environmental and tourism groups in Nova Scotia, New Brunswick and PEI. **Mary J. Gorman** of Merigomish, in a brief to the Commons Standing Committee on Fisheries on May 2, 2000, explains their concerns. Her statement is edited for publication.

**W**e are here today to talk about the Oceans Act and the federal responsibility to institute an ecosystem and precautionary approach, to protect marine habitat and develop integrated marine management.

■ **One thousand square miles was secretly put up for bid by oil companies before the Mi'kmaq, Acadian and Gaelic communities were even informed**

Our coalition formed to halt petroleum exploration off the western coast of Cape Breton. Specifically, NS98-2 Parcel 1 is a 600,000-acre shoreline permit that extends 50 miles from Port Hood to Chéticamp and 20 miles into the Northumberland Strait – or 1,000 square miles. This vast area is in the midst of spawning, nursery and migratory routes for lobster, herring, snow crab, mackerel, tuna, Atlantic salmon and recovering ground-fish commercial species. It is one of the most productive multi-species inshore fisheries on the East Coast, home to an abundance of whales and dolphins and known as the gateway to the Southern Gulf. Our mandate is to revoke this permit and stop petroleum exploration permits from being issued until spawning, nursery and other sensitive areas are identified and placed out of bounds for industrial development. Parcel 1 was secretly put up for bid and bid upon by Corridor Resources of Halifax before Mi'kmaq, Acadian and Gaelic coastal communities, who have lived sustainably off these resources for centuries, were even informed. We have yet to be consulted. There has been no study on the impacts of petroleum exploration and development on recovering groundfish

## Dossier / The Revolt against DFO

and other valued stocks in the Gulf of St. Lawrence. In spite of the Oceans Act, there is no evidence of precaution, nor of an integrated approach to management.

Why is the Oceans Branch of DFO so "slow" in implementing the Oceans Act? We have been told it is due to cutbacks and restructuring. Yet they have managed to implement sections of the Act relating to fees for inshore fishers.

There is an absence of will within DFO to protect our marine habitat and coastal communities. This violates the Oceans Act, which states:

the national strategy will be based on the principles of (a): sustainable development, that is, development that meets the needs of the present without compromising the ability of future generations to meet their own needs (b) the integrated management of activities in ... coastal waters and marine waters and (c) the precautionary approach, that is, erring on the side of caution. (Section 30)

Where is any "precaution" in issuing these permits?

After DFO subsidized the expansion of corporate fleets in the 1980s, groundfish stocks were fished to the point of collapse – clear evidence of what happens in the absence of precaution and attention to the supporting ecosystem. One would have thought that our governments had learned a lesson from this preventable tragedy.

When the groundfishery collapsed, the monopoly media blamed "too many fishermen, too few fish."

The truth is that the groundfishery collapsed because of "too few fishermen catching too many fish." In the Gulf, the distribution of quota at that time was 10 per cent of the fishermen had 90 per cent of the quota and 90 per cent of the fishermen, i.e., the small multi-species inshore boats, had approximately 10 per cent of the quota.

This historical reality is important because inshore fishermen not only suffered economically, but also suffered the humiliation of being blamed for a collapse we did not create.

Since the moratorium, multi-species groundfish boats were tied to the wharf without TAGs compensation. And for a decade, subjugated to limited quotas, closed fisheries, sentinel fisheries and microscopic scrutiny over mesh sizes, gear types, what we are allowed to fish, where we are allowed to fish and how we are allowed to fish. Yet we have worked steadily and in good faith with DFO to bring back our groundfish stocks in the Gulf.

Inshore fishers in the Gulf have a history pioneering limited entry licensing and conservation, and receive little respect for it. We do it because we are sincere in our commitment to long-term sustainability of our stocks. We practice what DFO preaches. We implement conservation requirements for lobster, herring, tuna, snow crab, mackerel and groundfish species. Our fishing practices for every single species are scrutinized relentlessly by each division of DFO to make sure conservation comes first.

In accordance with the Oceans Act regarding fees, we pay for DFO's dockside monitoring and observer coverage to make sure conservation comes first. Some fishermen have gone into debt and put our boats on the line to buy back groundfish quota that is historically ours. This is to ensure that the quota is never again given to corporate specialist fleets to decimate the stocks like in the 1980s.

We do this because we know that this is a path to ensure a long term multi-species inshore fishery in the Gulf of St. Lawrence, sustaining hundreds of coastal communities and, in the Southern Gulf alone, twenty thousand jobs. Unless, of course, it is destroyed by others.

After all these years of working with

DFO we find out that a vast petroleum permit has been approved along our shoreline in the middle of spawning, nursery and migratory routes? How do you think we feel when we're told that this same DFO has no mandate to protect marine habitat when it comes to the oil and gas industry? Their legislated mandate to protect habitat has been allegedly deferred to the Canada/Nova Scotia Offshore Petroleum Board (CNSOPB).

Why are fishermen sacrificing to conserve stocks if the petroleum industry is allowed to come in and take over our seabeds without any protest from DFO, without proper independent study, or a public review panel? Where is the same microscopic scrutiny of the potential impacts of petroleum exploration?

Why are we told that DFO has no power to stop petroleum exploration?

The Oceans Act states: "The Minister, may make orders exercising any power under Section 35 on an emergency basis, where the Minister is of the opinion that a marine resource or habitat is or is likely to be at risk..." (Section 36)

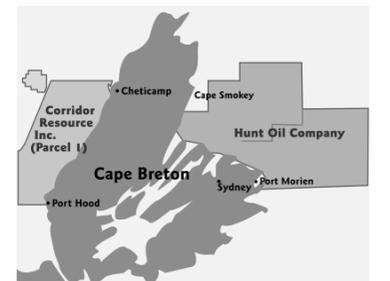
Hake stocks are still under moratorium. What about the risk to them?

The Act states that the Minister "may, in consultation with ... affected aboriginal organizations and coastal communities ... establish marine environmental quality guidelines..." (Section 32[d])

It also states: "Whereas Canada holds that conservation based on an ecosystem approach is of fundamental importance to maintaining biological diversity and productivity in the marine environment" and "Whereas Canada promotes the wide application of the precautionary approach to the conservation, management and exploitation of marine resources in order to protect these resources and preserve the marine environment."

These words are a striking contrast to the dismissive manner in which Gulf fishermen and our SOS coalition have been treated by DFO and Environment Canada for over a year now.

Is the protection of marine habitat not the legislated responsibility of the Minister



Petroleum leases cover vast areas in the Gulf of St. Lawrence between Cape Breton and PEI (Parcel 1), and the Sydney Bight area

of Fisheries and Oceans? Is Environment Canada not charged with preventing the discharge of deleterious substances into Canadian waters? Yet, we are continuously referred by Herb Dhaliwal to the petroleum board. This board is in a conflict of interest by both promoting and regulating the offshore petroleum industry. It has been attacked for allowing the oil companies to monitor their own safety and environmental requirements. As recently as April 18, the Canadian Environmental Assessment Agency, a federal agency, wrote to the Petroleum Board telling them their generic assessment process is fundamentally flawed, and doesn't recognize the gaps in knowledge about the marine environment. The Ecology Action Centre also points to the death of 11,000 birds from an oil spill being ranked as minor. While this board's promotional conduct heavily outweighs its regulatory functions, we are asked to accept that it will now be responsible for protecting our habitat and

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