



Newfoundland and Labrador
New Democratic Party

Ministerial Advisory Panel on Northern Shrimp
Department of Fisheries & Oceans

June 3, 2016

Dear Panel Members,

Thank you for the opportunity to participate in the recent Panel consultation in Gander. Please find enclosed the notes on which I based my presentation, as well as a copy of the paper dated February 1980 by DFO Economist P.R. Toews entitled *The Atlantic Shrimp Fishery: Prospects for Development.* I enclose this latter document, as it gives some of the early history surrounding northern shrimp allocations.

In addition to associating our Party with the submission of the All Party Committee on Northern Shrimp, I would like to highlight a couple of points for the Panel's attention:

1. The application of LIFO to allocations first appeared in the Northern Shrimp Integrated Fisheries Management Plan in 2007, 10 years after the introduction of the inshore fleet. The application of LIFO to allocations was not based on any agreement among stakeholders or on any transparent process. It was a change that completely lacked legitimacy.
2. The application of LIFO to allocations appears to have been connected to the view expressed by former DFO Minister Gail Shea, among others, that the inshore sector "received 90% of all quota increases" during the years the TAC grew. The APC brief details this important point.
3. There is ample case law to the effect that a DFO Minister cannot fetter the authority of a future Minister. The current Minister at any given time has the full authority of the *Fisheries Act* to issue licenses and grant allocations.
4. Rules can and do change. We need look no further to illustrate that point than to look at the rule referenced in Mr. Toews' 1980 paper that required offshore license holders to land at least 50% of their catch in onshore shrimp plants. The paper affirms that was the basis of the initial offshore allocations, yet the rule was change after a year or two to relieve the offshore fleet of that obligation.
5. It would be an outcome of supreme irony if onshore shrimp jobs in 2016 that are the lifeblood of their respective communities were jeopardized to accommodate the interests of a fleet that was admitted to the northern shrimp fishery in the first place for the express purpose of providing raw material to onshore shrimp plants.

6. It would likewise be a perverse outcome if the livelihoods of the most adjacent people and communities were sacrificed to the interests of the corporate sector.

I urge the Panel not to associate itself with such an ironic and unfair outcome, but instead to propose a solution which recognizes the viability needs of both inshore and offshore fleets by continuing the role of the offshore as the primary user group in SFAs 0 to 5 inclusive, and the inshore as the priority user group in SFA6, as per the All-Party Committee's proposal.

Yours truly,

A handwritten signature in blue ink that reads "Earle McCurdy". The signature is fluid and cursive, with the first name "Earle" being more prominent than the last name "McCurdy".

Earle McCurdy,
NDP Leader

Two attachments