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—
Chair

Mr. Gerald Keddy

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• (1620)

[English]

The Chair (Mr. Gerald Keddy (South Shore—St. Margaret's, CPC)): Pursuant to Standing Order 108(2), a study on the issues of new rules for boat stability, and in particular the matter of the fishery boat length requirements, I welcome our witnesses to the table. I know our members are chatting and trying to finish up, and maybe get a coffee vis-à-vis the last meeting, but we do have an agenda here so I'm going to move along.

First of all, welcome to our witnesses, Pierre Chevrier, Mario Desrape and Marcel Cormier. Welcome, gentlemen.

Since this is Monsieur Blais' riding, I will ask Monsieur Blais if he would like to make any words of introduction and we will go to our witnesses after that.

Monsieur Blais.

[Translation]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Thank you, Mr. Chairman.

First of all, given what we have already heard on the boat stability issue, I would say that in the Magdalen Islands the situation may very well be the same. Indeed, as far as this issue is concerned, the fishers have not necessarily been informed. When I talk about information, I am not simply talking about receiving a letter or something of that type; it is a bit more than that. In other words, this issue should have been documented further so that we could have had a real consultation. I am fully aware of the fact that the Department of Transport has scheduled something else for the next few months. As far as this issue is concerned, I would say that, as things now stand, the fishers are somewhat in the fog. This issue is shrouded in quite a bit of fog. We know that this whole problem is hanging over us, almost like a threat. That is why I think that the information that will be provided to us by the witnesses will enable us to delve further into this matter.

Thank you.

[English]

The Chair: Thank you, Monsieur Blais.

I don't know if our witnesses have a written presentation or which order you care to go in, but I'll ask you to proceed.

Monsieur Desrape.

[Translation]

Mr. Mario Desrape (President, Association des pêcheurs propriétaires des Îles-de-la-Madeleine): Thank you, Mr. Chairman and committee members.

I do not have a written presentation. I will give you an impromptu presentation about how we feel, about how the fishers of the Magdalen Islands are feeling.

First of all, I would like to thank the Standing Committee on Fisheries and Oceans, particularly Mr. Blais, who did a good job in bringing the committee to the Magdalen Islands.

I would like to congratulate all of those people who have defended the seal hunt. This is an extremely important industry in the Magdalen Islands. Our association informed us that we have neighbours who are sitting at the table in order to defend the seal hunt because we know that seals eat fish which could be caught by our fishers.

That being said, we know that it is late and that everybody is tired. We still have to discuss the issue of boat stability.

As Mr. Blais pointed out, what we are criticizing today is the lack of information on the issue. It is this aspect that we are most unhappy about. We know that new fishing boat safety regulations will come into effect soon. We know that there will be some stability standards contained in these new regulations, but we don't know anymore than that. We do not know which fleet will be affected, nor do we know anything about boat length, boat type, or engine type. We have no details about these issues.

As president of the Association des pêcheurs propriétaires des Îles-de-la-Madeleine, I can tell you that the boats in our fleet are very safe; we have proven this in the past. We do not accept the idea of having Transport Canada or the federal government stepping in with a blanket policy requiring that we submit our entire fleet to stability testing.

Money has to be earmarked for this. You must realize that we are in favour of safety, we have nothing against safety. However, our boats were built in accordance with approved plans. They are very safe and there is no need to test them, and these tests could be very costly. If we have to conduct stability testing, perhaps the boats will be shown to be stable, but you must be very aware of the fact that the stability of our companies will be jeopardized. I think that you understand what I mean.

Our fishery is extremely fragile. It is not profitable; we don't have any millionaires as a result of the fishery. Every time a new cost is added to our operating costs, that results in additional expenditures which may drive the business into bankruptcy. We have to be clear about that.

We will not accept any measures. Tests are going to be foisted on us, but at what cost? And why do we need to do this testing? We are asking ourselves this question. You have to really understand that we have been critical about the lack of information regarding the new regulations. Under the new boat safety regulations, the new boats will be affected more, but does that mean there will be significant additional costs to renew the fleet? Transport Canada must bear in mind that these new regulations may wind up having the opposite effect of what it was hoping to achieve. If it costs too much to replace a boat, the fisher will keep his old boat. So we'll wind up with a fleet that is much more obsolete than the one we have now, because the fishers will not have the means to change their boats, given that the new building standards will be far too demanding.

So that is what I wanted to say. I would, therefore, like to have a lot more information on this issue, as Mr. Blais said, so that we can see how this file is progressing. But for now, the documents that we have read to date compel us to state that we will not accept stability testing.

Should you have any questions about the types of boats we use or the type of fishing we do, I would be happy to answer.

Thank you.

• (1625)

[English]

The Chair: Thank you.

Go ahead, Mr. Cormier.

[Translation]

Mr. Marcel Cormier (Administrator, Regroupement des pêcheurs professionnels des Îles-de-la-Madeleine): The fishers I represent own boats a bit larger than those of the fishers represented by my colleague, Mario, but these are boats which, for the most part, were built 10 or so years ago and have shown their worth. In the Magdalen Islands, you can count on one hand the number of boats that have capsized. Consequently, I do not think it is necessary to do stability testing on these boats after 10 years. They have already proven themselves. A lot of water has run under the bridge in 10 years.

We completely disagree with the testing of our boats. For a new boat that carry a great deal of weight on the superstructure, we do not totally disagree with stability testing. Boats do, after all, have to be safe.

In the Magdalen Islands, all the boats have a low gravity point. There are, therefore, no problems; this has been demonstrated. I myself own a 55 foot-boat which had weight added to it, in the bottom, to make it more safe. It even passed a stability test when it was built.

Today, we are told that we have to spend an additional \$5,000 or \$6,000, I don't know, in addition to what Mario mentioned. That's

the truth: we cannot pay any more. If the government wants to pay, go ahead with the stability test, but we are not paying any more.

Thank you.

• (1630)

[English]

The Chair: Thank you.

Mr. Chevrier.

[Translation]

Mr. Pierre Chevrier (President, Regroupement des palan-griers et pétoncliers uniques Madelinots): I represent a small group of fishers, but I am part of a community composed of approximately 400 Magdalen Island fishers. We are very familiar with the fleet. I am almost convinced that you saw it, when you went near the coast...

Is anyone listening to me?

I'm convinced that when you went down by the coast, you saw where we store the boats in the winter. Given that the subject of your study is boat stability, I would imagine that you were struck by the high-calibre of the boats found in the Magdalen Islands. Quebec's most beautiful boat fleet is found right here.

I represent a group of fishers who were affected by the ground fish moratorium. We have a very clear recollection of a meeting we had about five or six years ago with Transport Canada. It was quite a noisy meeting, held in the Magdalen Islands, and we talked about boat safety. They tried to make us believe that it would cost between \$250 to \$400. However, this little scenario wound up costing us about \$4,000 to \$5,000. The scenario that we are supposed to swallow now will cost perhaps between \$7,000 and \$10,000, maybe even more. With a gross income of between \$35,000 and \$40,000, our fishers are saying that they are doing volunteer work for the benefit of all kinds of companies or industries that sell fishing equipment or whatever. We are paying a great deal of money for our licences, we are paying a great deal of money to have observers with us when we are at sea, we are paying for safety, we are paying for everything. We are no longer capable of doing this.

There are a lot of discussions under way about the viability of fishing operations. How can we make the fishing sector more viable? It certainly isn't by adding a bill of \$7,000, \$8,000 or \$10,000 to be paid by captains for stability testing and the rating that that involves.

As far as the Magdalen Islands are concerned, I would ask the committee to take a look at accidents involving ships weighing more or less 15 tons. How many boats have capsized? How many boats have sunk? The number is quite low, much lower than the number of highway traffic accidents. However, now we are being told that you are worried about our safety, etc. Our fishers are worried about their safety. Every captain is aware of the fact that he is responsible for his crew. He loads his boat bearing safety in mind. That is why there aren't many accidents in the Magdalen Islands. Fishers are aware of safety.

We therefore totally disagree with stability testing for our boats because that will mean an additional bill to pay. All that we can say is that, if the government is prepared to pay for the entire bill, we would agree. But I am convinced that the government, rather than paying for the entire bill, will put the whole issue on ice. So we are recommending that the issue be put on ice.

Thank you.

[English]

The Vice-Chair (Mr. Bill Matthews (Random—Burin—St. George's, Lib.)): Thank you, Mr. Chevrier.

Monsieur Blais.

[Translation]

Mr. Raynald Blais: I would like you to explain the situation in greater detail. Has the Department of Fisheries and Oceans or the Department of Transport contacted you about this issue? If so, when?

Mr. Pierre Chevrier: I received a notice from your secretary about this meeting a few days ago.

• (1635)

Mr. Raynald Blais: All right. You received notification from us. But did you receive anything from the department?

Mr. Pierre Chevrier: I know that there was a committee in Rimouski and that fishers from the Maritimes were called. I was not present, but I do think that there were fishers from the largest fishing association in the Magdalen Islands. My comment would be that they were not looking for the opinion of fishers, once again they were imposing a system, a program that had to be adopted one way or the other, a little bit like what was done, as I told you, five or six years ago, when they tried to make us believe that all we had to do was spend anywhere from \$250 to \$300 to bring our boats in line with the regulations. In actual fact, each fisher had to lay out between \$4,000 and \$5,000. That's what I heard about these meetings.

Perhaps Mario can provide you with more explanations.

[English]

The Vice-Chair (Mr. Bill Matthews): Does anyone else want to comment on this, or do we go to Mr. Blais for another question?

Monsieur Desrape.

[Translation]

Mr. Mario Desrape: Mr. Blais asked a question and I will answer it. We attended a meeting held by Transport Canada in Rimouski. This was the only meeting where we were told about the regulation, the new policy on fishing boat safety, that the Department wanted to implement. As I said earlier, stability standards were on the agenda, but we had no details on the matter. I recall very well that the fishers present in the room were all unanimously against stability testing. Mr. Cormier was present, in fact.

Did they continue pushing ahead with this and do they want to make stability testing mandatory today? The answer to this question is probably yes, because the matter is now before the fisheries and oceans committee. At this meeting, we were simply told that a fishing boat would have to be subject to a stability test, to simplified

stability tests in the case of boats under 15 tons, with the exception of high risk boats. That is what everybody was against. There are no details about what is a high risk, about what a simplified stability test would entail, about what is a high risk boat. There were no details. So all of the fishers in attendance opposed such a test.

As Mr. Cormier said so clearly, when you have owned a boat for 10, 15 or 20 years, you have already done the test. We don't need anyone to come and tell us how the boat is going to list or roll: we've seen it.

Thank you.

[English]

The Vice-Chair (Mr. Bill Matthews): Mr. Blais, do you have one more short question?

[Translation]

Mr. Raynald Blais: Yes, I would like to make a comment and ask a question at the same time. We have been told by Transport Canada that there were studies under way to determine risk factors and cost benefit ratios for the new regulations. We have been told that the studies will be assessed and that the proposal will be amended accordingly. We were then told that other consultations will be carried out in the fall of 2006 — the fall of 2006 is here — and in the spring of 2007. The new requirements should be implemented in 2008. So that is a summary of what Transport Canada told us regarding this issue.

At the same time, there is an issue of common sense at hand. Testing is already done via the architecture, when the boat is built or when changes are made to a boat. All of this has to be approved somewhere along the line. The boat is not simply put into the water without first going through certain tests or without the owner having obtained some approvals.

Could you clarify what steps need to be taken regarding all of that?

Mr. Marcel Cormier: Are you talking about the various phases during construction?

Mr. Raynald Blais: Yes. What is the situation right now?

Mr. Marcel Cormier: My friend has just told me that he has already received a letter stating that boats weighing 15 tons and more must be tested for stability. Some people have received a letter, but not everyone. This test applies to everything dealing with trawling. In all likelihood, lobster fishing boats are not subject to that to the same extent. Boats used for other kinds of fishing and which have gallow frames are probably going to be covered by this to a larger extent. Do you understand what I mean?

Mr. Raynald Blais: Yes.

[English]

The Vice-Chair (Mr. Bill Matthews): Thank you very much, Mr. Cormier.

We have to switch questioners now, Mr. Blais.

Mr. Byrne.

• (1640)

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Thank you, Mr. Chair.

It was very impressive. Yesterday we went along the marine centre, and we saw quite an impressive fleet here in the Magdalen Islands. The boats are absolutely beautiful. They're well constructed, and quite frankly, I'm sure they've been serving you very safely for many years.

My first question is, has there been a significant change in the architecture of the fleet? Have you gone to bigger boats in the last little while? Has the nature of your fleet changed dramatically in the last while?

The Vice-Chair (Mr. Bill Matthews): Could we have you introduce yourself for the benefit of the committee, please?

[Translation]

Mr. Gilles Vigneau (Member, Regroupement des pêcheurs professionnels des Îles-de-la-Madeleine, As an Individual):

My name is Gilles Vigneau. I am a fisherman, and a member of the Regroupement des pêcheurs professionnels des Îles-de-la-Madeleine.

Over the past three years, I have been following Transport Canada's work on regulating fishing vessels.

I will try to answer the question put by the member, as to how the government has come to acquire a stability test for fishing vessels. There was a very unfortunate accident off the west coast of Newfoundland in the fall of 2004. Two people lost their lives. I believe that the incident caused an internal shock at Transport Canada, because it was the first time in history that the people involved — the family of the two people who died — sued Transport Canada on the grounds of construction and stability of their vessels.

Following the proceedings, the department seems to have established a fairly stringent policy on fishing vessels stability. Those most affected by the new measure — and I am among them — are fishers of groundfish, scallops and others who need to display a load on the vessel bridge. Since I fish more than one species — scallops and groundfish — those measures affected my fishing business directly. I had to make minor changes to a vessel in January of this year, and the Department of Transport imposed on me two mandatory stability tests, with conditions that are not really clear, however. Between September and January, the measures became more specific, and finally became mandatory.

In this region, there were public consultations with the Department of Transport, and all the regulations being discussed here today were debated then. At present, a number of committees are continuing to work on the new regulations surrounding stability tests, as well as new regulations governing fishing vessels. Unfortunately, I cannot tell you today what we are discussing. It does seem clear, however, that measures like the stability tests cannot be imposed on different fishing fleets that were already... Some stability tests had already been carried out. There is a test we call the sistership test in the industry. Basically, you take one vessel and conduct a stability test, which is then valid for all sisterships at the same time. That made it possible to meet some of the department's requirements.

Now, the department proceeds case by case. It selects one vessel and has it submit to a stability test, something which unfortunately is very onerous. What we in the region find deplorable is that this is

being done very quickly. In my view, there was not much consultation and the industry's response time did not really give us time to adjust. In my case, when I made some modifications to my vessel in January, a Transport Canada representative told me that if I did not have the test carried out before April, regrettably I would not be able to carry on fishing as I usually do. There was no way I could defend myself. The department is going on a case-by-case basis and its decisions are much more difficult to challenge. I find that unfortunate.

In addition, the regulations mention vessels of over 15 tons. Transport Canada regulations seem to apply differently from one Maritime region to another. In Quebec, people are proactive and apply new regulations much more quickly. In our case, everything was therefore applied very quickly, and the obligations imposed upon us are much greater than those imposed on our fellow fishers in other provinces, like Prince Edward Island, Newfoundland and Nova Scotia. Even though the same federal statute applies, it seems to be interpreted differently in different provinces.

●(1645)

If you impose stability tests, or change other regulations governing fishing vessels, either in minor or major ways, it is important that regulations apply uniformly from coast to coast, and not only within the regions of Quebec.

Does that answer your question?

[English]

Hon. Gerry Byrne: So basically you're very satisfied with your fleet structure right now. If somebody came in and—

[Translation]

Mr. Gilles Vigneau: We have no problem with the structure of the current vessels fleet. The problem is that Transport Canada requirements will only increase from year to year. In order for us to have a constructive discussion today, we would have had to develop the proposed changes further.

[English]

Hon. Gerry Byrne: Yes.

There was a transition in the chair there, and I don't want to usurp your authority, Mr. Chair, but I believe Mario was going to speak.

[Translation]

Mr. Mario Desrape: You asked if we had enlarge our vessels. Vessels are certainly larger in recent years. Like another part of the world, there have been changes. But safety is always an issue. Our vessels may be larger and more powerful, but they are safe.

In answer to the question Mr. Blais asked a few moments ago, I would say that, when we build a boat, we use a plan approved by a naval architect as well as by Department of Transport. The vessel does not fall [Editor's note: *Inaudible*]. That is how it works.

When we modify our vessels—and some have been modified—the work is monitored by inspectors from Transport Canada, Quebec Division. That is very important. Mr. Vigneau raised the point a few moments ago, and I took note of it to share it with you. This is something we have publicly deplored and we continue to deplore: there is one federal government, but we noted that, in many areas—particularly vessels inspection—there is a great deal of disparity among the provinces. That is completely unacceptable. Shipbuilders tell us, and we are well aware of it. The disparities are reflected in construction costs, as I said. If our shipbuilders are continually monitored by Transport Canada's Quebec Division, to ensure that everything is done by the book, but standards in other regions are not strictly applied—and that is exactly what happens—then we get price competition. As a result, more and more of our fishers are going elsewhere to have their vessels built. It's a problem.

[English]

The Chair: Mr. Chevrier.

[Translation]

Mr. Pierre Chevrier: I would also like to answer the question.

The vessel fleet in the Magdalen Islands has changed enormously, and for the better. I started fishing on vessels that did not even have a cabin for shelter, or a guardrail. But when we went out for cod, we would bring cod catches weighing 2,000, 3,000, 4,000 and even 5,000 pounds. Things have changed over the years.

At present, some of our vessels are 40 feet long and 16 feet wide, and are built very low in the water. We also have shrimp vessels with full cabins. In Newfoundland, boats are fairly short and have fairly high cabin structures. They do not have the same stability characteristics as the Magdalen Islands vessels at all. Our ships are 14 to 16 feet wide, and bridge at two-and-a-half feet from the surface of the water. They do not have a high cabin structure, nor do they have a hoist or a power block and tackle. They are completely different vessels.

As Gilles said, I feel that what is being put before us is in fact already imposed. Mr. Blais said that meetings are planned and that he already has to do an individual stability test. Transport Canada should conduct stability tests on the moles of ships that come out of Léo LeBlanc's yard or other yards, so that the fisher's vessel would be rigged and bridged in a certain way, and would in essence pass the test.

They've gone so far as to say that if my head is at the front of the vessel and is higher than the wheelhouse, I should probably have a stability test carried out. That is completely ridiculous. We don't want to comply with that kind of garbage. It would cost between \$1,000 and \$1,500, eating up 5 to 6 % of my income, for something really stupid. Go conduct inspections in the Magdalen Islands. You will see that fishers are security-conscious.

In any case, regardless of whether a vessel has undergone a stability test, what really matters is how the fisher handles the vessel.

Gilles mentioned the shipwreck. I saw the TSB report on the shipwreck in New Brunswick. In fact, it has occurred off Anticosti Island. A fisher brought his boat out, loaded with lumber and boards. The load was tied with cords and stood higher than the vessel's

cabin. I saw the photos. He left the Belle-Île Strait and sailed for Gaspé, in spite of the winds and storm announced.

If that fisher's lobster boat had undergone a stability test, it would have passed easily. However, the fisher made a serious mistake: destabilizing his own vessel, he did not use his head. Our fishers are being put in danger because someone somewhere fishes in a certain spot, or for other reasons.

Every spring, 325 fishers take out boats laden with lobster cages. When winds are forecast, the fishers pile the cages to a height of three or four feet. If the sea is absolutely calm he doesn't need to do that because he knows his boat, and he knows how the boat will respond. He has never capsized his boat when putting cages into the water. For the fleet of vessels under 15 tons, the day on which lobster cages are put into the water is more or less the most dangerous day there is, because the boat could be made to capsize because of instability. But fishers are well aware of this.

If Transport Canada ends up with a case-by-case system, an individual approach, every fisher will have to pay. If 400 Magdalen Islands fishers each pay \$400, how much will it all cost? We can't pay that much.

• (1650)

[English]

The Chair: *Merci.*

Please understand that part of the reason we wanted to have this discussion on stability testing is that we were travelling throughout eastern Canada, and this was a great opportunity as a committee to hear what fishermen were saying about the stability tests.

We're hearing the same thing in every area. We're going to hear it in my area of Nova Scotia. I'm sure we'll hear the same message tomorrow about the idea that one hull could be tested.

The difficulty is that the Transport Canada rules have come out, and they're going to be applied soon. We want to make sure that while they're looking at this issue, there's also another issue concerning the length requirements on your licences and what length restrictions are.

Monsieur Cormier, I think you had a comment. Then I'm going to our next questioner, Mr. Manning.

• (1655)

[Translation]

Mr. Marcel Cormier: I was just seeking to confirm an opinion. The last shipwrecks in the Magdalen Islands were not caused by vessels capsizing, but in all cases were caused by invasion from above — hull tightness or fire. I was talking about the latest shipwrecks, though there are generally not many.

[English]

The Chair: *Merci.*

Mr. Vigneau, do you have a quick comment?

Mr. Gilles Vigneau: A question, please.

The Chair: Okay, go ahead.

[*Translation*]

I have a question. Another Transport Canada committee has studied all the impacts that new stability measures and new regulations could have in Quebec.

Are you working in conjunction with that committee, or is each committee working separately? In Quebec, a group from Transport Canada meets with people once a year to explain the new regulations. Vessel owners in our fleet contact inspectors from Rimouski, or finds an office for the Quebec region. Fishers make recommendations to that Transport Canada group. That explains the recommendations that fishers have already put forward. That is why I'm having some difficulty today—I am not saying I'm surprised, but I do have some difficulty understanding the process. We have already been invited to take part in other meetings. Perhaps you have not been provided with information from the various groups or from other regions.

[*English*]

Thank you.

The Chair: That's a fair question.

I think the interest for the committee is that there's a lot of interest in the ridings we represent. Most of us represent fishery ridings. There are several hundred boats in the riding I represent. A lot of questions have been asked about how the rules will be implemented. All of those questions haven't been answered by Transport Canada.

As well, understand that Transport Canada's committee is a separate committee. We're not linked. We're just trying to signal this as an issue. We may or may not make recommendations to Transport Canada. If anything, I suspect it would be recommendations to slow down somewhat on implementation. But that's if we make any recommendations; I can't speak for the committee.

So that's why we brought it up, because our fishermen are talking to us about it.

Hon. Gerry Byrne: Mr. Chair, it's also fair to say that the Transport Canada committee is looking at all vessels, at the implications for all types of vessels. We're simply looking at fishing vessels.

I don't know if that's a fair comment to make, but...

The Chair: In particular, the rules will apply for fishing vessels over 15 tonnes. Different areas have different requirements.

In the riding I represent, fishermen fish year-round. They fish in ice conditions. They fish in 35-foot vessels over 100 miles offshore. They're restricted to what they catch by length requirements. There are all kinds of rules and regulations that we just want to have a discussion about.

I'm not trying to take too much time here. I think that answers your question.

We'll move to Mr. Kamp.

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Thank you, Mr. Chair.

I think this gentleman raises a good point. What's pretty clear to us is that it's not very clear just what the current regulations are and

where the process is going. Our understanding is that there are current stability requirements, but Transport Canada is reviewing those requirements and is going through a process of consultation. We'll gazette those new requirements, get feedback on those again, and then put them in place in mid-2008. But it sounds as if you're already getting some directives from Transport Canada in terms of what requirements you need to meet.

My understanding is that Transport Canada has one set of regulations for large fishing vessels—probably most of you don't have those—and another set of regulations for small fishing vessels. For example, those regulations say that even though your boat could be as small as 15 gross tons, but up to 150 gross tons, if you catch herring or capelin you have to have a stability booklet.

By stability test, are you referring to the requirement to have a stability booklet? Is that the same thing, as far as you know? What are the lengths of the boats, or the sizes of the boats, that you use here in Îles-de-la-Madeleine, and what do you catch? Do you catch herring and capelin, and how far do you go when you fish?

Those would be my questions.

• (1700)

The Chair: We'll go to Monsieur Vigneau.

[*Translation*]

Mr. Gilles Vigneau: I will answer that question.

If I had not had a stability test done on my boat last spring, I could not have gone out to sea. This measure is applied. It is a concrete measure. If my boat had not had a stability test, the inspector would have wharfed me. I have no doubt about that.

Things are different, depending on the class of boat you have. I have a 45-footer, with a GRT of over 15 tons. The boat therefore comes under Transport Canada regulations. I am authorized to sail over 100 miles from the coast. In fact, I can go up to 120 miles offshore. Under current regulations, I can do that provided I have all the safety equipment required, including a life raft, an emergency beacon, a new digital radio, an all other equipment that meets current safety standards.

The stability test was put forward by the Department of Transport. I have a multi-species boat—in other words, I can fish for scallop and groundfish, among other species. Last winter, I received a letter telling me that I had to have a stability test done on my boat, because my boat was part of the class targeted by Transport Canada.

That class also included the boats of clam and shellfish harvesters. In fact, it included any boat that did any trawl fishing and had a load on the bridge or somewhat higher, for example boats on which equipment is lifted using the mast hoist, or that kind of thing. In fact, it included all boats over 15 tons, and all trawlers.

[*English*]

The Chair: Monsieur Desrape.

[*Translation*]

Mr. Mario Desrape: Thank you, Mr. Chairman.

In answer to the question, I would say that there are 325 lobster fishers in our fleet. Most boats are 45 feet or less, and we engage in various types of fishing. Primarily we do lobster fishing, but we do fish for herring, mackerel and groundfish, and sometimes even hunt seals.

How far offshore do we go? Twenty or twenty-five miles—it all depends on the type of fishing we are doing. For groundfish, we go out further. For lobster, we go about 20 miles out around the island, but not much further than before, when we were not asked to have stability tests done on our boats. We go there today, but we went there before too. So don't tell me that I am now going where I wasn't going before. I've always gone where I go now. I don't go out further than I used to. That holds for most fishers.

• (1705)

[English]

Mr. Randy Kamp: Have all the boat owners been told they need a stability test?

[Translation]

Mr. Mario Desrape: In my fleet, it has not been requested yet. However, Mr. Vigneau, who is here today, has been told he needs a stability test, and has received a letter to that effect. Perhaps it's because he trawls for groundfish, we don't know if that is the reason. In our fleet, we have not yet been given notice that all our boats would need stability tests. That's why we are here today, to tell you that we don't want that, at least not under these conditions. Whenever we are told about the new regulations and the stability tests, the point is made that the department is concerned about the safety and lives of commercial fishers, that it's all for our protection. That's all very well, but the safety regulations never apply to sport fishing boats. But sport fishing goes on—sport fishing go for cod to the same places I go. But they're not regulated. So there is a double standard here. It's there, in black and white.

[English]

The Chair: Mr. Vigneau.

[Translation]

Mr. Gilles Vigneau: I have a question for the member. I told you earlier that the regulations are Canadian, and that the legislation is not consistently enforced to the same degree everywhere. I believe that my case in particular, from this year, provides a clear example. I was forced to put my boat through a stability test. At the beginning of 2006, I received a form from Transport Canada in the mail. It was a sort of newsletter to inform there was a possibility to make all stability tests mandatory. The same newsletter laid out different fishing scenarios. It used trawlers and scallop vessels as examples. Just as you had been explaining, I was asked where my fleet is located, and where within the group, my boat is located. There was also reference to herring and cod. The regulation under which the stability tests are mandatory had been in existence for some time. In the case of trawlers and scallop harvesting, this is entirely new, at least here on the coast.

Personally, I am in frequent contact with scallop harvesters. They are about 20 harvesters in the islands. The financial impact is substantial: we are talking about \$7,000 to \$8,000 in addition to problems relating to tracking the paper trail. Some people have boats that are 25 years old. That is another problem.

What makes me laugh, and what also is under my skin, is the fact that my fellow fisherman, who has a boat of less than 15 gross tons does not have to comply with the current regulation. I don't know if he also has to go through the stability tests, as I do, since my boat is more than 15 gross tonne.

[English]

The Chair: Excuse me. I just have to interrupt for a second, and I apologize for that.

The rules on the stability tests are for 15 tonnes and over. If you're under 15 tonnes and you have certain species or you're fishing in ice conditions, you could be subject.

But with respect, we can't really answer all of your questions. We're here to get information. We're a multi-party group. We're not representing one party in government, we're representing the committee as an entity. We're really not here to speak for the government.

I'm just going to ask Mr. Kamp if he has a final question, and then we'll move on to our other questioners, if we can.

We understand the frustration.

• (1710)

Mr. Randy Kamp: Yes, and we need to hear it, so I thank you for that.

We also need to figure out what's going on and why, for example, you got the letter and somebody who might be in a similar situation didn't. But we don't know the answer to that at this point, so we need to go back and try to find that out.

Thank you very much.

[Translation]

The Chair: Mr. Blais.

Mr. Raynald Blais: Mr. Vigneau, if you have a copy of that letter, you can table it to the committee.

Mr. Gilles Vigneau: In fact, I've already sent a copy of that letter to Ms. Landry, representative of the Fédération des pêcheurs semi-hauturiers du Québec, so they, as well as people from Transport Canada, are aware of the situation once they begin the tour. I am not the only one who received that letter; several harvesters received the same letter. A committee struck within the Fédération des pêcheurs semi-hauturiers du Québec are working on this issue. They should also be made aware of this document.

Mr. Raynald Blais: Very well, but would it be possible to hand us a copy as well?

Mr. Gilles Vigneau: I will have to go to the federation and ask if they can make a copy. I will do what has to be done.

Mr. Raynald Blais: OK. Thank you.

The Chair: Thank you very much.

[English]

The issue with the stability test, gentlemen, is one where there has been a fair amount of frustration. I asked François, our researcher, to check on this, but my understanding is that there was a meeting held by Transport Canada in Rimouski—I think that was discussed when I was out of the room—but I don't think the transport committee has really studied this issue. This is just an opportunity for us to educate ourselves.

I have one final question on boat length requirements, though. Are you restricted by your boat length in the lobster fishery? First of all, how many traps or how many pots do you set, and what are your boat lengths?

Mario, go ahead.

[Translation]

Mr. Mario Desrape: As I was saying earlier, our boats measure 45 feet or less, but the Act applies to boats that measure 50 feet or less. One cannot harvest lobsters with a boat longer than 50 feet. The regulation applies to boats measuring 50 feet or less. In the past, we had 300 traps. We have reduced the size and the number of our traps in order to preserve the lobsters, which was not done anywhere else on the entire East Coast of Canada. We had a certain number of traps, but we made them smaller. The mandatory measurements are 24 inches by 32 inches. In the past, the traps were 48 inches, but we have made them smaller. We were once entitled to 300 traps, but we have reduced that number by 3 traps per year for 10 years. The situation will be reassessed in 5 years, but this may last 10 years. In 2006, we set 297 traps; and in 2007, we will set 294.

[English]

The Chair: Thank you.

I think your 45-foot class for your boats is actually 44 feet, 11 inches. Is that in the water or is there an addition out of the water?

[Translation]

Mr. Mario Desrape: No. Most boats cannot be longer than that, but not all the boats are 45 feet or less in length. One is 35 feet long or less. Many are 40 feet long or more precisely 39 feet 11 inches. Some are 37 or 38 feet long, up to 45 feet. I would say that the average would be about 40 feet. Nothing remains boxed up. Lengtheners and breasthooks are unusual although we see many in the Maritimes or in Nova Scotia. The Magdalen Islands have not yet adopted these practices.

• (1715)

The Chair: Thank you very much.

[English]

I'd like to take a moment to thank our witnesses for appearing. It has been an interesting and informative session. You'll appreciate that we can't answer all of your questions, but we certainly have learned from our stop here in the Îles-de-la-Madeleine. We have enjoyed it very much, and I will say that a number of us will be coming back.

Thank you very much. We're adjourned.

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