



**Decision/Direction Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Happy Adventure Sea Products Limited (HASP), Green Seafoods Limited and Terra Vista Limited Requesting Changes to Value-Added Snow Crab Processing Licence

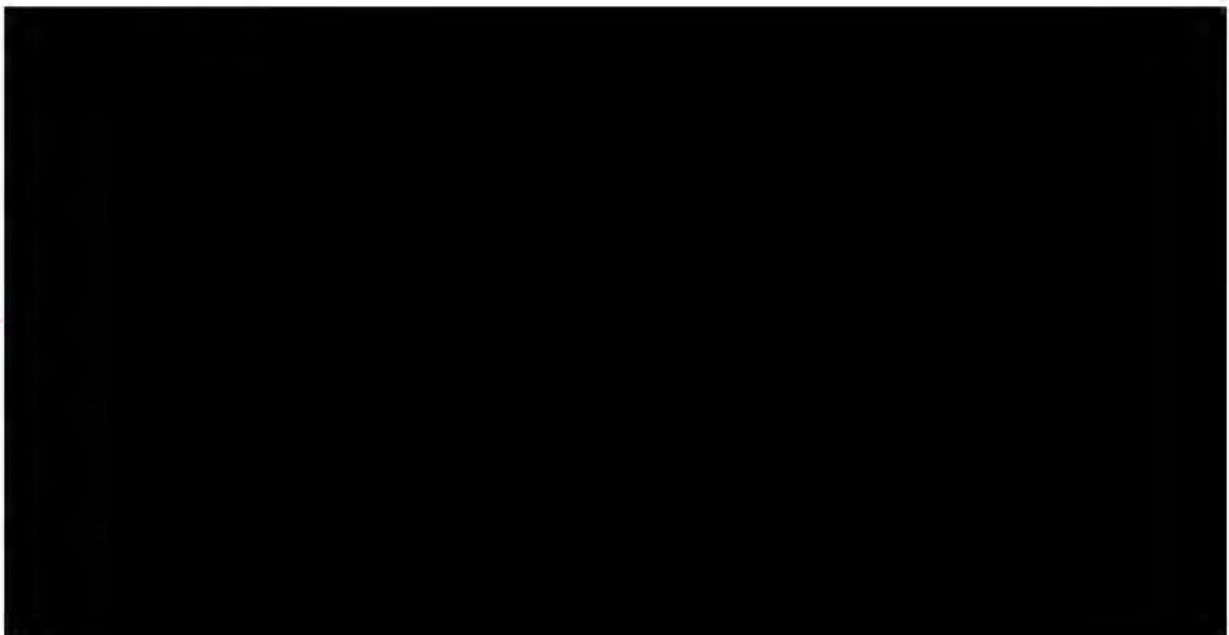
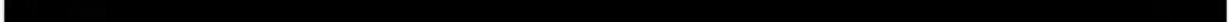
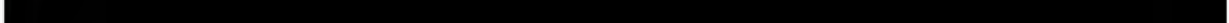
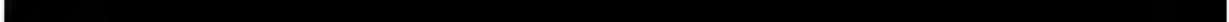
**Decision/Direction Required:**

- 

29(1)(a),  
35(1)(d)

**Background and Current Status:**

- Value-added snow crab processing licences were created as a means to resolve a legal dispute in 2001 and represents a policy aberration. A policy to enable consolidation will bring about the eventual elimination of this licence category.
- HASP owns and operates a processing plant in Happy Adventure and has a primary processing licence for pelagics (all species), groundfish (all species), and lobster. The company also has a value-added snow crab processing licence.
- Green's Seafoods Limited operates out of Winterton and have a primary processing licence for pelagics (all species), groundfish (all species), mussels, sea cucumber, whelk and sea urchin in addition to the value-added crab licence.
- Terra Vista Limited operates out of Glovertown and has a primary licence for pelagics (all species), groundfish (all species), eel, salmonids and sea urchin in addition to the value-added crab licence.

- 
- 
- 
- 

29(1)(a),  
35(1)(d)

29(1)(a),  
35(1)(d)

- [Redacted]

- In relation to value added snow crab licences, section 5.5.1 of the Fish Processing Licensing Policy Manual states, "that a licence holder will be permitted to purchase raw material directly from fish harvesters, but will be limited to purchasing and processing a maximum of 1,000,000 pounds of raw material annually".
- Value-added snow crab licence holders are restricted to producing "snap and eat" (crab sections on which the individual legs have been scored or notched in order to more easily break the shell to extract the meat contained inside), consumer pack, and other value-added product forms approved by the minister. Snap and eat scored snow crab sections may be produced in any pack size, and consumer pack snow crab sections shall not be produced in a consumer pack which exceeds 10 pounds.

29(1)(a)

- [Redacted]

**Analysis:**

- The three value-added processors are, Terra Vista Limited, HASP, and Green Seafoods Limited. Value-added snow crab processing licences have limitations on the types of products that can be produced and are limited to purchasing a maximum of one million pounds of raw material annually from fish harvesters landing in Newfoundland and Labrador. There are no limits placed upon the volume and amount of snow crab obtained from outside Newfoundland and Labrador; however, this snow crab is also subject to the same licence conditions and directive as snow crab sourced from within the province.
- In 2023, there were 23 active snow crab licence holders throughout the province, of which six snow crab licence holders are within the central region (excludes HASP). Of those six, the average week's employment at snow crab was 12.8 weeks. The average week's employment for all 23 active snow crab processors was 11.3.

29(1)(a)

- [Redacted]
- [Redacted]

29(1)(a),  
35(1)(d)

- [Redacted]

29(1)(a),  
35(1)(d)

[Redacted]

•

•

29(1)(a)

[Redacted]

30(1)(a),  
30(1)(b)

•

[Redacted]

•

29(1)(a),  
35(1)(d)

[Redacted]

•

- On March 25, 2024 DFO announced the Total Allowable Catch (TAC) for Newfoundland and Labrador Region Snow Crab in 2024 is 57,586 tonnes, an overall quota level increase of 5.2% (2,800 t / 6.3 million lbs.) from 2023.

**Alternatives:**

[Redacted]

29(1)(a),  
35(1)(d)

29(1)(a),  
35(1)(d)



**Prepared/Approved by:** C. Howell/D. Lockyer/ B. Hanlon/ J. Chippett  
**Ministerial Approval:** Hon. Elvis Loveless

March 27, 2024

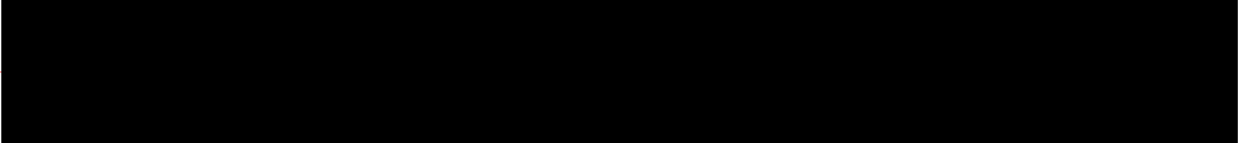
A handwritten signature in blue ink, which appears to read "Elvis Loveless", is written over the printed name. The signature is fluid and cursive.

**Decision/Direction Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Newfoundland and Labrador Dairy Cooperative (NLDC) Loan

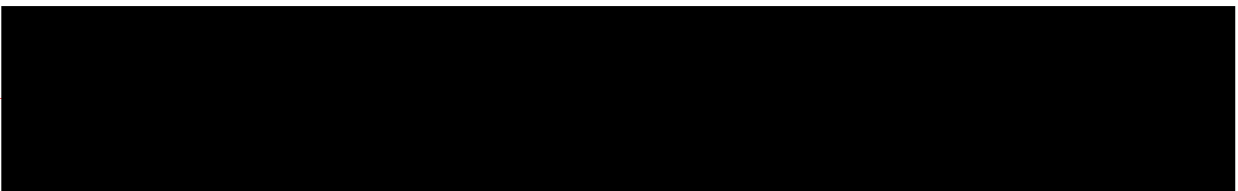
**Decision/Direction Required:**

- Whether the NLDC has provided confirmation, to the satisfaction of the Minister, that the acquisition does not cause concerns under the federal **Competition Act**.

- 

29(1)(a)

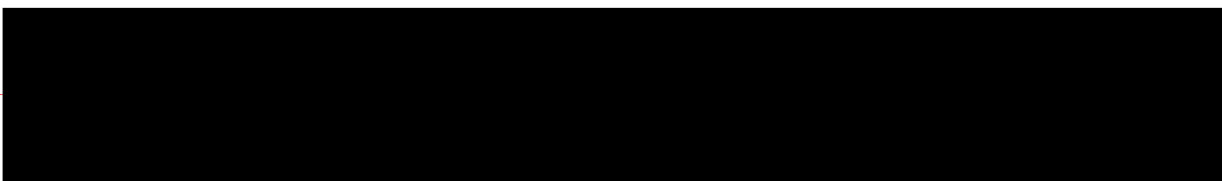
**Background and Current Status:**

- 

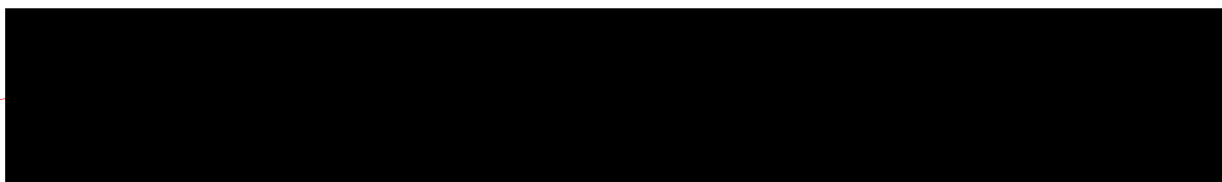
27(2)(a),  
27(1)(i)

- On December 8<sup>th</sup>, 2023, FFA provided NLDC with a letter informing them that their request for a \$10M unsecured, interest bearing loan was conditionally approved. The letter stated that the NLDC could not sell the processing assets without GNL's approval and conditional on the terms and conditions as set by the Department of Fisheries, Forestry and Agriculture.
- NLDC has provided legal opinions regarding the transaction and the federal **Competition Act** which have been reviewed by JPS.

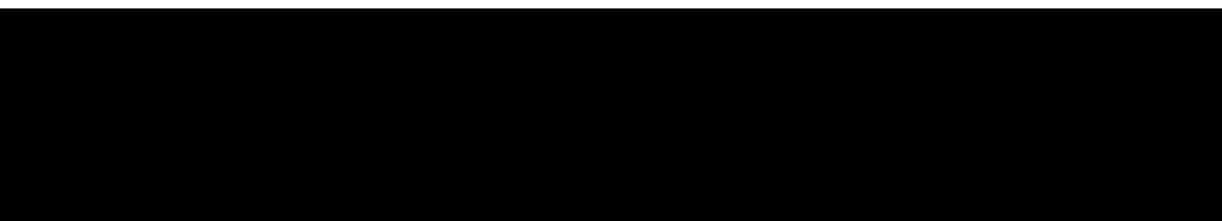
**Analysis:**

- 

29(1)(a),  
30(2),  
35(1)(d)

- 

30(1)(a),  
30(1)(b)

- 

29(1)(a),  
30(2),  
35(1)(d)

30(1)(a),  
30(1)(b)

• [Redacted]

35(1)(d)

• [Redacted]

• Where neither of these values exceed the \$93M notification threshold, the transaction is not notifiable under the **Competition Act**. This supports the conclusion in the original RMM opinion.

29(1)(a),  
35(1)(d)

• [Redacted]

30(1)(a),  
30(1)(b)

• [Redacted]

29(1)(a),  
35(1)(d)

• [Redacted]

• Milk supply and price is regulated by both federal and provincial legislation and overseen by the Farm Products Council of Canada, the Canadian Dairy Commission and the provincial Farm Industry Review Board.

29(1)(a), 35(1)(d)

[Redacted]

29(1)(a),  
30(1)(a),  
30(1)(b)

• [Redacted]

29(1)(a)

• [Redacted] the **Milk Scheme, 1998**, under authority of section 11 of **Natural Products Marketing Act**, is by Ministerial Order

**Alternatives:**



**Prepared/Approved by:** K. Miller/ N. Barnes/ J.Chippett in consultation with Cabinet Secretariat, Finance, and Treasury Board Secretariat  
**Ministerial Approval:** Received from Hon. Elvis Loveless

March 26, 2024

A handwritten signature in blue ink, which appears to read "Elvis Loveless", is positioned to the right of the date. The signature is written in a cursive, flowing style.

**Information Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Dairy Farmers of Newfoundland and Labrador requests a legislative change to increase the price of milk paid to producers

**Issue:**

- On January 25, 2024, the Dairy Farmers of Newfoundland and Labrador (DFNL) submitted a request to the Farm Industry Review Board for a legislative change to amend the *Milk Regulations, 1998*, to increase the minimum price of milk paid to producers from \$137.95/hectolitre (\$1.3795/litre) to \$139.76/hectolitre (\$1.3976/litre). The new price would take effect on May 1, 2024.

**Background and Current Status:**

- Canada's supply management system for poultry, eggs, and dairy controls the price of these commodities through federal and provincial legislation. In Newfoundland and Labrador, dairy farming is regulated under the **Natural Products Marketing Act**. Under this Act, the *Milk Scheme, 1998*, gives the DFNL the authority to set the minimum price of milk to be paid to producers for the marketing of milk. The *Milk Regulations, 1998*, lists the minimum price to be paid to producers.
- Section 22 of the *Milk Regulations, 1998*, sets the minimum price of milk payable to producers from registered processors. Currently it is \$137.95 per hectolitre (hl); the equivalent of 100 litres.
- Section 8 of the *Milk Scheme, 1998*, provided DFNL with the authority to unilaterally change the price of milk:  
*Under the authority of subsection 9(2) of the Act, the DFNL may:*  
*(r) adopt, determine and set a minimum price to be paid to producers for the marketing of the milk*
- Milk with a butterfat content above 3.6 kgs/hl receive an additional price of \$5.2/kg for every kilogram of butterfat above 3.6 kgs/hl. However, DFNL is not requesting a change to this price.
- Price amendments typically take place every February 1 however it is not uncommon to have mid-year price adjustments in response to input price shocks (e.g., feed costs). The last price adjustment was February 10, 2023, when the minimum price rose 1.5 per cent from the July 1, 2022, price increase. The current price increase was postponed from February 1, 2024, to May 1, 2024, and represents a 1.31 per cent increase.
- The request to change the price of milk is nearly always supported by national pricing recommendations from the Canadian Dairy Commission (CDC) and applied to all provinces as part of the annual price review at CDC. Price setting exercises are part of ensuring a producer receives a fair return on their product which is a pillar of the supply management system. Occasionally, DNFL will also approve an "exceptional change" which is essentially a second change in a given year due to some extraordinary change(s) in the industry affecting the producer return on milk (e.g. fertilizer costs to produce animal feed increase 30-40% due to universal shortage).

- The May 1, 2024, price increase that is calculated for each province by Canadian Dairy Commission (CDC) is based on the national pricing formula and industry consultations. The formula consists of two components: (1) the cost of producing milk (COP) at the farm level and, (2) the Consumer Price Index (CPI); with each weighted 50:50 in the calculation.
- The CDC annually conducts a cost of production survey of dairy farms across Canada. Farm financial data was collected for 2022 and indexed to August 2023 using data from Statistics Canada. The findings were then compared to similar results from the previous year. Higher interest rates and inflation have resulted in an increase in minimum price of milk paid to producers.
- Over the past 10 years, the overall food retail price inflation (2.4%) in Newfoundland and Labrador has exceeded that of milk (2.0%). The food inflation index, especially other protein foods, have exceeded that of milk.

Average Annual Inflation Rates 2013-2023						
	All Items	Food	Milk	Meat	Eggs	Fish
2013-2023	2.4%	3.1%	2.0%	4.2%	3.4%	3.3%
Source: Statistics Canada. Table 18-10-0005-01 Consumer Price Index, annual average, not seasonally adjusted						

- The Farm Industry Review Board (FIRB) is the provincial supervisory body, responsible for general supervision of the operations of commodity boards, which includes DFNL. On January 25, 2024, DFNL submitted a request to the Farm Industry Review Board (FIRB) to amend the Milk Regulations to increase the minimum price of milk from \$137.95 to \$139.76 per standard hectoliter.
- On January 30, 2024, the FIRB notified DFNL of its support for the price increase and requested the change in legislation through Legislative Counsel.

#### Analysis:

- Dairy is the largest agricultural commodity in Newfoundland and Labrador with \$51.0 million in Farm Cash Receipts in 2024 and accounting for 34.2 per cent of the total Farm Cash Receipts.
- Over the past 10 years, DFNL producer price increases have averaged 1.8 per cent annually. In comparison, retail milk prices in Newfoundland and Labrador have increased 2.0 per cent annually.
- The past 10 years have seen 10 price changes – seven price increases and three price reductions.
- The last price increase was February 10, 2023, when the minimum price rose \$2.01/hl from \$135.94/hl to \$137.95/hl.
- This legislation sets the minimum price a processor must pay to a producer for fluid/table milk. Milk prices paid by the consumer are set by the retailer, but it is reasonable to expect an increase paid by the processor to the producer would set into motion an increase in the price the processor charges the retailer. The amount of the increase the

retailer absorbs or passes on to the public is entirely their decision. The retailers sometimes choose to absorb the cost and continue to offer milk at the same price as milk is frequently a product used as part of a retailer's loss leader strategy, selling the milk at a price that is not profitable in the hope to attract new customers or to sell additional products and services to those customers.

- This price increase is effective as of May 1, 2024, therefore any potential retail price change related to this increase would not be applied until after that time,

**Action being taken:**

- The FIRB has reviewed the request from DFNL and is arranging a legislative amendment to Section 22 of the *Milk Regulations, 1998* under the *Milk Scheme, 1998* and the **Natural Products Marketing Act**, to increase the minimum price to be paid to producers for milk to \$139.76/hl. This would be an increase of \$1.81/HL (or 1.31%) above the current price of \$137.95/hl. The amendment would be effective May 1, 2024.

**Prepared/Approved by:** D. Houlihan/ M. Gallant / S. Balsom  
**Ministerial Approval:** Received from Hon. Elvis Loveless

February 14, 2024

Signature



**Information Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Provincial Agrifoods Assistance Program

**Issue:** To provide information on the 2024-25 Provincial Agrifoods Assistance Program parameters for the upcoming year.

**Background and Current Status:**

- The Provincial Agrifoods Assistance Program (PAAP) is a funding program designed to support the Newfoundland and Labrador agriculture industry develop capacity by providing non-repayable financial assistance. The 2024-25 PAAP budget is \$2,282,900 and is 100 per cent funded by the Province. Included in the PAAP budget is \$132,900 allocated for the Community Garden Support Program.
- This funding is available to farmers under two program streams; the Land Development stream provides funding for rough clearing and enhancement of new agricultural lands and the development of regional pastures; the Agriculture Infrastructure stream provides funding for equipment and infrastructure such as vegetable cold storages and greenhouse capacity. Additionally, the Community Garden Support Program provides funding to establish new community gardens and enhance existing community gardens throughout the province raising awareness of local food production and increasing food self-sufficiency.
- Farmers are reimbursed at 50 per cent of approved infrastructure projects and receive an acreage payment of \$1,500 per acre for rough clearing and \$1,500 for land enhancement of new agricultural land. Acreage payments for new agricultural land include the removal of trees, rocks and stumps, and the initial application of limestone, fertilizer and seed. Regional pastures are eligible for 100 per cent funding to a maximum of \$30,000 per year. Community gardens are eligible for \$750 for fertilizer, vegetable seeds and transplants, small tools, and general garden supplies.
- The intention of the PAAP program is to foster and support the growth and development of the agriculture sector in Newfoundland and Labrador by providing funding for infrastructure and land development to increase the capacity of the sector.

**Analysis:**

•

29(1)(a)

- In 2022-23, 124 applications received PAAP funding including 30 new entrants
- In 2023-24 the Community Garden Support Program invested in 178 community gardens with the full budget of \$132,900 expended.

**Action Being Taken:**

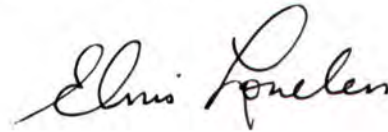
- The 2024-25 Provincial Agrifoods Assistance Program will continue to reimburse fertilizer as an eligible program cost. The 2024-25 program year will be the third consecutive year that fertilizer will be included as an eligible program cost.

- It is anticipated that the 2024-25 Program will be released on March 15, 2024, with an application deadline of April 15, 2024.

**Prepared/Approved by:** L. Fequet / C. MacDonald / S. Balsom

**Ministerial Approval:** Received from Hon. Elvis Loveless

March 08, 2024

A handwritten signature in black ink that reads "Elvis Loveless". The signature is written in a cursive style with a large, looping initial "E".



**Meeting Note**

**Department of Fisheries, Forestry and Agriculture  
Minister's meeting with the Governments of New Brunswick and Quebec**

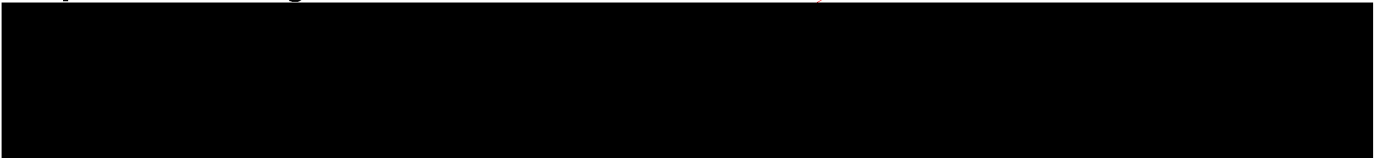
**Tuesday, March 5, 2024 10:30 AM AST  
Teams Meeting**

**Attendees:**

- Hon. Elvis Loveless, Newfoundland and Labrador Minister of Fisheries, Forestry and Agriculture (FFA)
- Hon. Margaret Johnson, New Brunswick Minister of Agriculture, Aquaculture and Fisheries
- Hon. André Lamontagne, Quebec Minister of Agriculture, Fisheries and Food

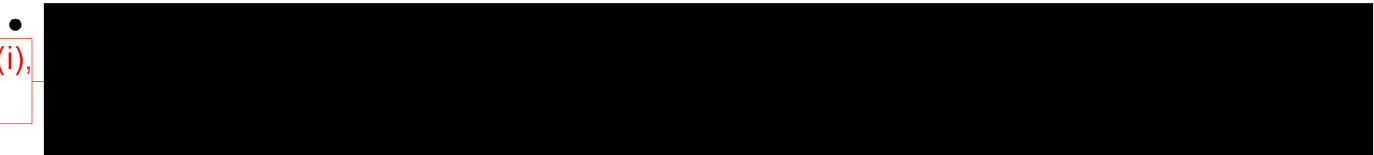
**Purpose of Meeting:**

34(1)(a)(i)



**Background:**

- The opening of the commercial Redfish fishery and the sharp decline in the Northern Shrimp fishery are impacting the governments of Newfoundland and Labrador, New Brunswick and Quebec.
- All governments are seeking mitigations and measures that can directly benefit harvesters in their provinces.



34(1)(a)(i),  
34(1)(b)

**Prepared/Approved by:** A. Burrige/ B. Hanlon/ J. Chippett

March 4, 2024

**Meeting Note**  
**Department of Fisheries, Forestry and Agriculture**  
**Meeting with Minister Loveless and Chief Brad, Miawpukek First Nation**  
**March 6<sup>th</sup>, 8:00am**  
**TBD Where (Location)**

**Attendees:**

Chief Brad Benoit, Miawpukek First Nation  
Honourable Elvis Loveless, Minister, FFA  
Jamie Chippett, Deputy Minister, FFA

**Purpose of Meeting:**

- Chief Brad Benoit has requested a meeting with Minister Loveless to discuss the following items:
  - Infrastructure (Roads)
  - Forest Management Agreement
  - Salmon Enhancement
  - Total Allowable Catch

**Background:**

- Brad Benoit is the new administrative chief of the Miawpukek First Nation, taking over from Chief Mi'sel Joe, who retired January 2024.
- Miawpukek First Nation (MFN) Reserve is located at the mouth of the Conne River on the south coast of the island of Newfoundland. Approximately 850 members of MFN live at Conne River, with an additional 2,000 members living off-Reserve.

**Agenda item #1 – Infrastructure (Roads)**

- Chief Brad has indicated that he would like to talk to the Minister about roads; however, it is uncertain what issues would like to be addressed. FFA has not identified any issues or upcoming activity in relation to roads to aquaculture sites or forestry access roads.

Analysis

- Under any FMA between a proponent and the Minister, a proponent would assume the forest management responsibility to manage harvesting activities, including the financial responsibility for new forest access road construction and maintenance of existing forest access roads.

**Agenda item #2 – Forest Management Agreement**

- MFN is seeking a 20-year Forest Management Agreement (FMA) and the issuance of a Crown Timber Licence (CTL), to cut Crown timber on the Island of Newfoundland's south-central interior in Forest Management District 6.

Analysis

- Under any FMA between a proponent and the Minister, a proponent would assume the forest management responsibility to manage harvesting activities, including the financial responsibility for new forest access road construction and maintenance of existing forest access roads; silviculture prescriptions and reforestation activities; forest protection, including fire suppression and insect disease control programs; paying royalties charged on all timber harvested; and, the development of five-year operating plans and annual operating plans.

- The **Forestry Act** requires a party to a forest management agreement to manage the area of Crown lands covered by the agreement in accordance with the principles of sustained yield forest management.
- MFN has proposed the Minister enter into an FMA with MFN covering 179,479 hectares (1,794 square kilometers) (the "Proposed FMA Area"). The annual allowable harvest level is estimated to be approximately 25,000 cubic metres, subject to MFN's land base classification to determine their proposed net harvestable land base.
- All class 1 roads must be approved by EA under the current 5yr plan and any amendments greater than 1km would require EA approval. Assistance for forestry access roads are normally part of the CTL/FMA agreement discussion.
- The Proposed FMA Area currently contains three Crown domestic cutting areas that support approximately 50 domestic permits. MFN has outlined that it wishes to manage the sale of domestic timber inside the FMA boundary. At present, FFA is the only management authority for domestic timber throughout NL.

29(1)(a)

- [REDACTED]

27(2)(a),  
27(1)(i)

- [REDACTED]  
MFN will be required to submit to the Crown all royalties payable based on volume harvest. The current royalty rate is \$5.56 per meter.

#### Potential Speaking Points

- FFA will continue to work with MFN to support its sawmill, pulpwood, and firewood opportunities, and are considering the FMA proposal.

#### Proposed Actions

29(1)(a)

- [REDACTED]

#### **Agenda item #2 – Salmon Enhancement**

- MFN, Newfoundland Aquaculture Industry Association (NAIA), FFA and DFO have established a working group/collaborative partnership to look at options for salmon enhancement with a goal to deliver a multi-phase project aimed at the recovery of Atlantic salmon on the Southcoast of NL. MFN is leading this work.

#### Analysis

- Along the lines as the Fundy Salmon Recovery initiative in New Brunswick, MFN is proposing to boost marine survival and add mature salmon back to rivers. Specifically, the project will collect outgoing smolt from Conne River, NL and grow these fish to maturity in licensed sea cages in their natural environment, before returning these fish to the rivers they were collected from in order to enhance the spawning populations of these rivers.

- MFN, NAIA, FFA and DFO met recently to discuss the resources required and licensing/regulatory requirements. The next meeting will involve having salmon farming companies at the table to be potential project partners.
- The objectives of the proposed project are to:
  - Develop a project plan for a salmon recovery initiative that will eventually turn into a long term program.
  - Safely and effectively collect salmon smolt from Conne River to be grown out in an aquaculture licensed farm once all licensing and regulatory process are met.
  - Deliver mature salmon back to the river for spawning.
  - Monitor salmon populations and report on the success of the project in terms of increasing adult returns and smolt output of the rivers

#### Potential Speaking Points

- FFA is very interested in working with MFN to ensure that all necessary licensing requirements are underway and following the required process.
- The licensing process for such a project could take several months once a completed application is submitted.

#### Proposed Actions

- FFA staff informed MFN of the timelines and requirements and will work directly with them to move the projects along the necessary steps.
- To date, project plans and application have not been received as it is still early in the discussions; the plan is to have something in place for spring 2025.

#### **Agenda item #3 – Clearwater Seafoods Total Allowable Catch Allocation for Lobster**

- MFN is in the NAFO 3Ps division where there are multiple stocks that are commercially fished as well as other stocks that are harvested under joint management with France.
- MFN are looking to discuss a total allowable catch allocation received by Clearwater Seafoods for lobster.

#### Analysis

- Clearwater Seafoods had requested an increase in their allocation which was not granted by the federal government.
- MFN is hoping Minister Loveless may support their effort to reverse the decision by reaching out to the Federal minister on their behalf.

#### Potential Speaking Points

- FFA is committed to ensuring harvesters and plant workers in Newfoundland and Labrador have opportunity to earn a living from this province's valuable fishing resources.

#### Proposed Actions

- FFA will continue to foster collaboration with the Federal Government and fisheries stakeholders to support a balanced, sustainable, internationally competitive, and viable fishing industry.

**Prepared/Approved by:**  
**Ministerial Approval:**  
March 4, 2024

C. Dredge / K. Miller / J. Chippett  
Received from Hon. Elvis Loveless

**Decision/Direction Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Position on Total Allowable Catch (TAC) of 4RST Capelin for 2024

**Decision/Direction Required:**

- Whether to support the rollover TAC of 10,225 tonnes (t) for 4RST capelin for 2024.

•

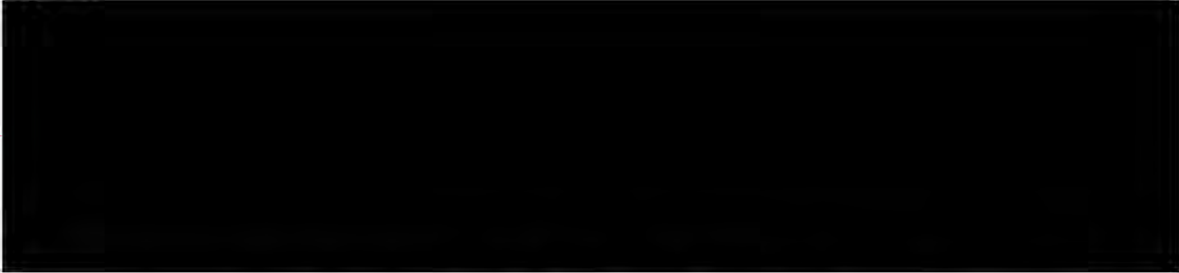
29(1)(a)

**Background and Current Status:**

- Capelin is a key forage species in Newfoundland and Labrador (NL) waters and is prey for many predators including seals, whales, fish and seabirds. Capelin reach maturity after the age of two and have a short life span of up to four years, which can result in dramatic changes in abundance from year to year. Capelin respond rapidly to environmental changes; therefore, environmental variability may increase uncertainty with regard to the outlook for capelin.
- There are two separate capelin fisheries in NL. One occurs mainly off the east/northeast coast in Northwest Atlantic Fisheries Organization (NAFO) Divisions 2J3KLPs and the other is in the Gulf of St. Lawrence (GSL) in NAFO Divisions 4RST. See Annex 1 for NAFO areas.
- The 4RST capelin fishery is managed as a single TAC (10,225t in 2023), with an NL share (4R) of 86.12 per cent (8,806t). The 4R TAC is subdivided into three allocation categories: greater than (>) 65 foot (') mobile gear (gear towed); less than (<) 65' mobile gear; and < 65' fixed gear (gear set and retrieved). See Annex 2 for a breakdown of the 2023 TAC distribution among fleets and Annex 3 for a summary of recent TAC and landing data for 4RST.
- Stock assessments for 4RST capelin occur every two years. Fisheries and Oceans Canada (DFO) Science provides updates on stock status indicators in interim years. In February 2024, DFO held a science assessment meeting for 4RST capelin. During that meeting, consensus was not reached on many of the assessment outcomes and additional review will be required before a Limit Reference Point (LRP) is determined and a model for stock status is accepted. This work is ongoing but is not yet available to inform management decisions. As such, the last full complete assessment is still 2022. [REDACTED]
- The 4RST Capelin Advisory Committee meeting occurred on March 8, 2024. DFO has requested that TAC recommendations from members for the 2024 fishing season be provided by March 12, 2024.

29(1)(a)


**Analysis:**

- 

29(1)(a)

- There are currently no new estimates of Spawning Stock Biomass (SSB), absolute abundance, or Limit Reference Points for 4RST capelin available, which are needed to determine stock status relative to the Critical, Cautious, or Healthy Zones of DFO's Precautionary Approach Framework. In the absence of these estimates, DFO Science uses a set of indicators to assess the stock's health, including such things as estimates of fishing mortality, body condition and what is referred to as a 'composite index of stock status.'
- The 2022 stock assessment and the 2023 update on stock status indicators show low approximations of fishing mortality and a composite index around the long-term average. This suggests that any of the harvest levels attained over the last decade were unlikely to pose a risk to the stock in 2023, however this cannot be confirmed for 2024 due to the delay in the acceptance of the recent science assessment recommendations.

**Alternatives:**

- 

29(1)(a)

**Prepared/Approved by:** A. Burrige/B. Hanlon/J. Chippett  
**Ministerial Approval:**

March 8, 2024

Handwritten signatures in black ink, appearing to be 'A. Burrige' and 'B. Hanlon'.

## Annex 1:

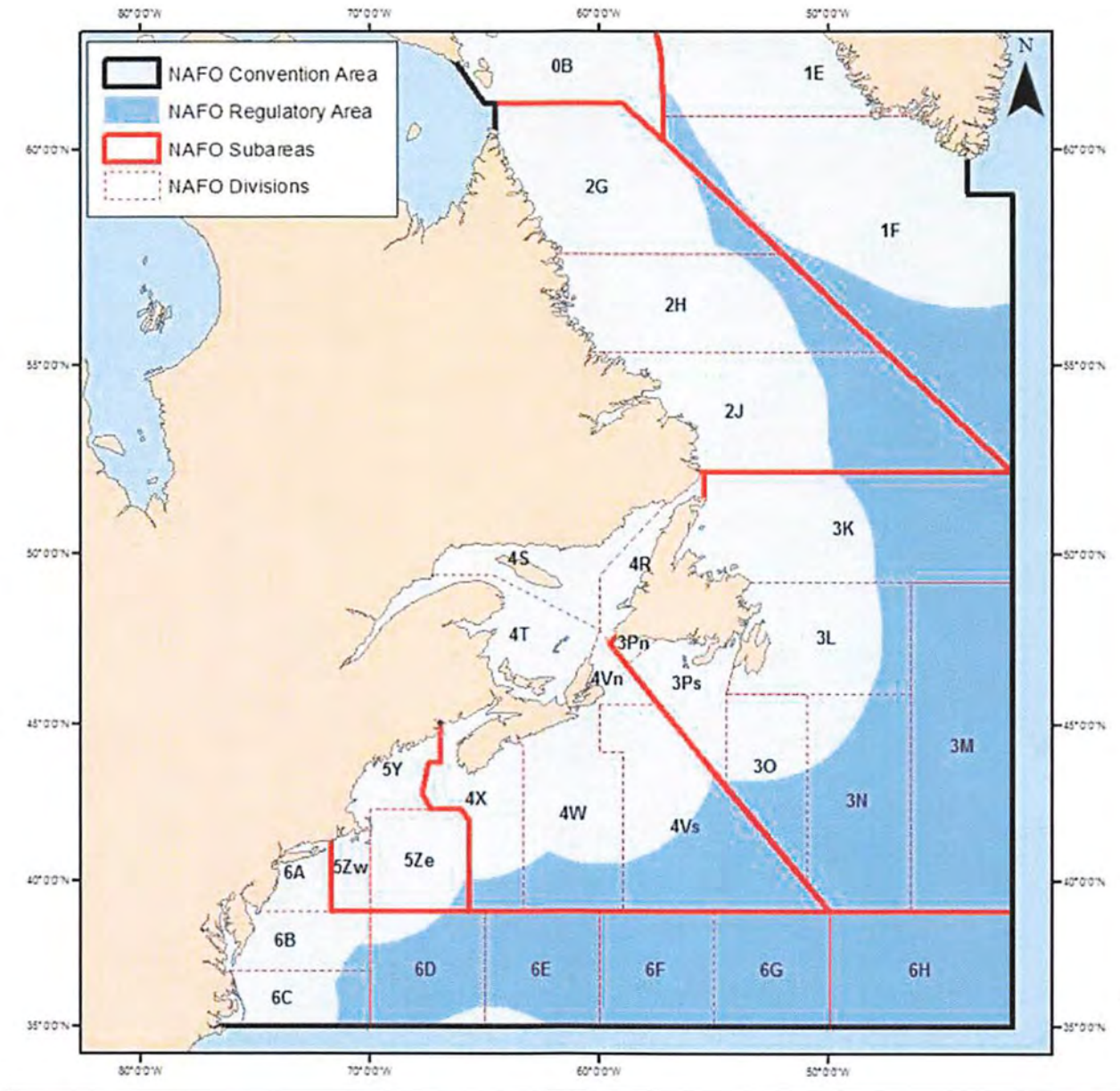


Figure 1: Northwest Atlantic Fisheries Organization (NAFO) Divisions

## Annex 2:

**Fleet Allocations for the 2023 Total Allowable Catch (TAC) of 4RST Capelin**

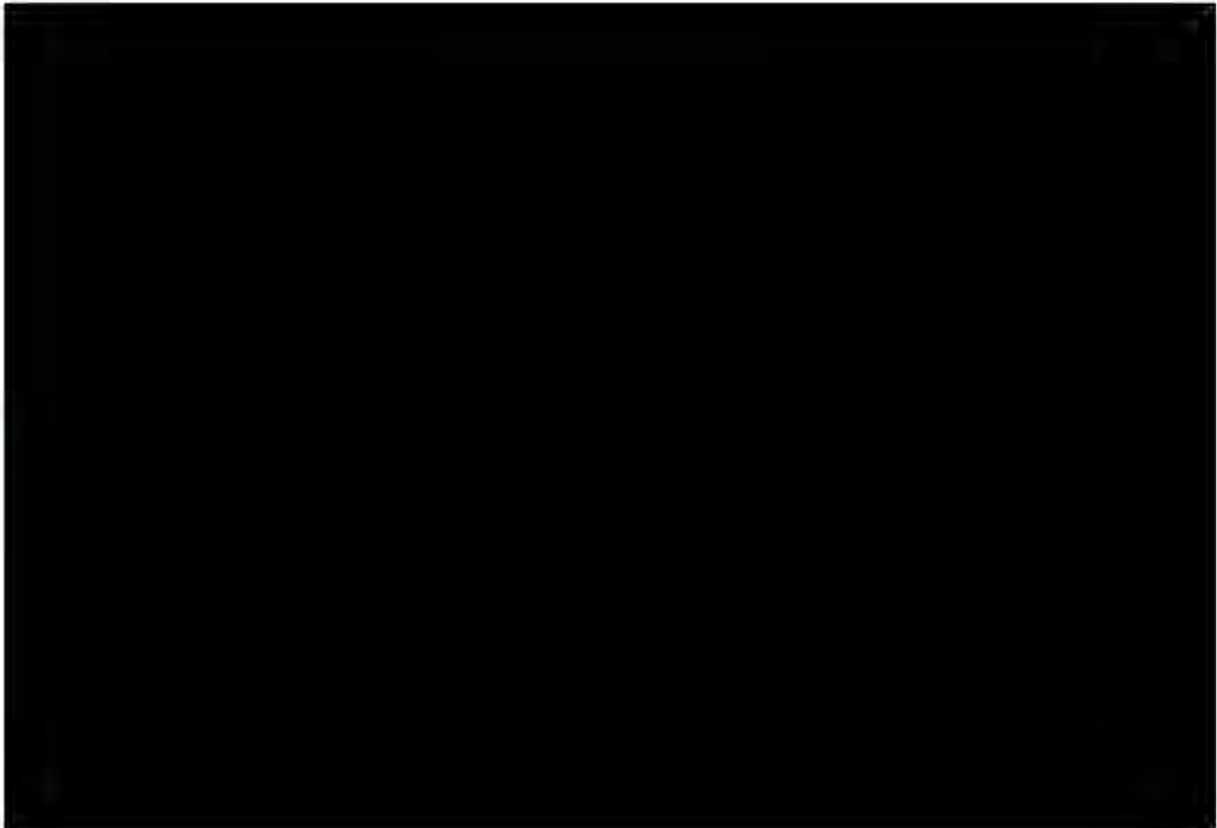
<b>2023 Capelin Fishery TAC and Fleet Sharing in Tonnes (t)</b>		
<b>Area</b>	<b>Gear</b>	<b>Quota</b>
4R	Total	8,805.37
	Mobile <65'	2,469.23
	Mobile > 65'	2,469.23
	Fixed	3,866.91
4RS	Total	1,419.63
<b>4RST</b>	<b>Total</b>	<b>10,225</b>

## Annex 3:

<b>Total Allowable Catch (TAC) and Landings of 4RST Capelin</b>			
<b>Year</b>	<b>Quota (t)</b>	<b>Catch (t)</b>	<b>Per Cent Landed</b>
2023	10,225	1,123	13%
2022	10,225	4,933	48%
2021	9,293	8,388	90%
2020	9,293	7,875	85%
2019	9,293	7,598	82%
2018	9,293	8,168	88%

Annex 4:

- 



29(1)(a)

**Decision/Direction Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Position on Total Allowable Catch (TAC) of Unit 1 Redfish for 2024

**Decision/Direction Required:**

- Whether to request additional TAC above the minimum 25,000 tonnes (t) announced for Unit 1 Redfish in 2024.

•


29(1)(a)

**Background and Current Status:**

- Redfish adjacent to Newfoundland and Labrador (NL) consists of two redfish species: *Sebastes (S) mentella* and *Sebastes (S) fasciatus*. The Unit 1 redfish stock includes redfish in the Gulf of St. Lawrence and the Cabot Strait in Northwest Atlantic Fisheries Organization (NAFO) Divisions 4RST, and from January 1 to May 31, Subdivisions 3Pn and 4VN (Annex 1: NAFO Regulatory Areas).
- Canadian Science Advisory Services (CSAS) coordinates the scientific peer review and science advice for Fisheries and Oceans Canada (DFO). The CSAS provides departmental scientific advice and information on fish stock dynamics. The CSAS meeting for Unit 1 Redfish was on January 24, 2024. Officials from Fisheries, Forestry and Agriculture (FFA) attended this meeting along with other DFO officials, and industry including Fishery, Food and Allied Workers Union (FFAW), Atlantic Groundfish Council (AGC) and others.
- A full stock assessment was not completed in 2023, however the status of the Stock Spawning Biomass (SSB) was determined. The status of the *S. mentella* stock in 2023 was in the healthy zone of the Precautionary Approach (PA) with a SSB of 2,302,000 t which corresponds to 8.7 times the Upper Stock Reference (USR). The estimated SSB of *S. fasciatus* was also in the healthy zone of the PA with a SSB of 181,000 t which is slightly above the USR.
- Potential removals have been determined based on estimates of mortality rate and biomass of fish larger than 22 cm. A range of realistic potential removals (between the 25th and 75th percentiles) varied between 88,000 and 318,000 t with a median of 276,000 t for *S. mentella*. These removals are unlikely to pose a conservation risk to *S. mentella*.
- DFO announced on January 26, 2024 that it would be reopening the commercial Redfish fishery with a two year start-up plan with a minimum 25,000 t TAC. The shares of the Redfish quota would be as follows:
  - Offshore 58.7%
  - Inshore mobile gear 14.8%

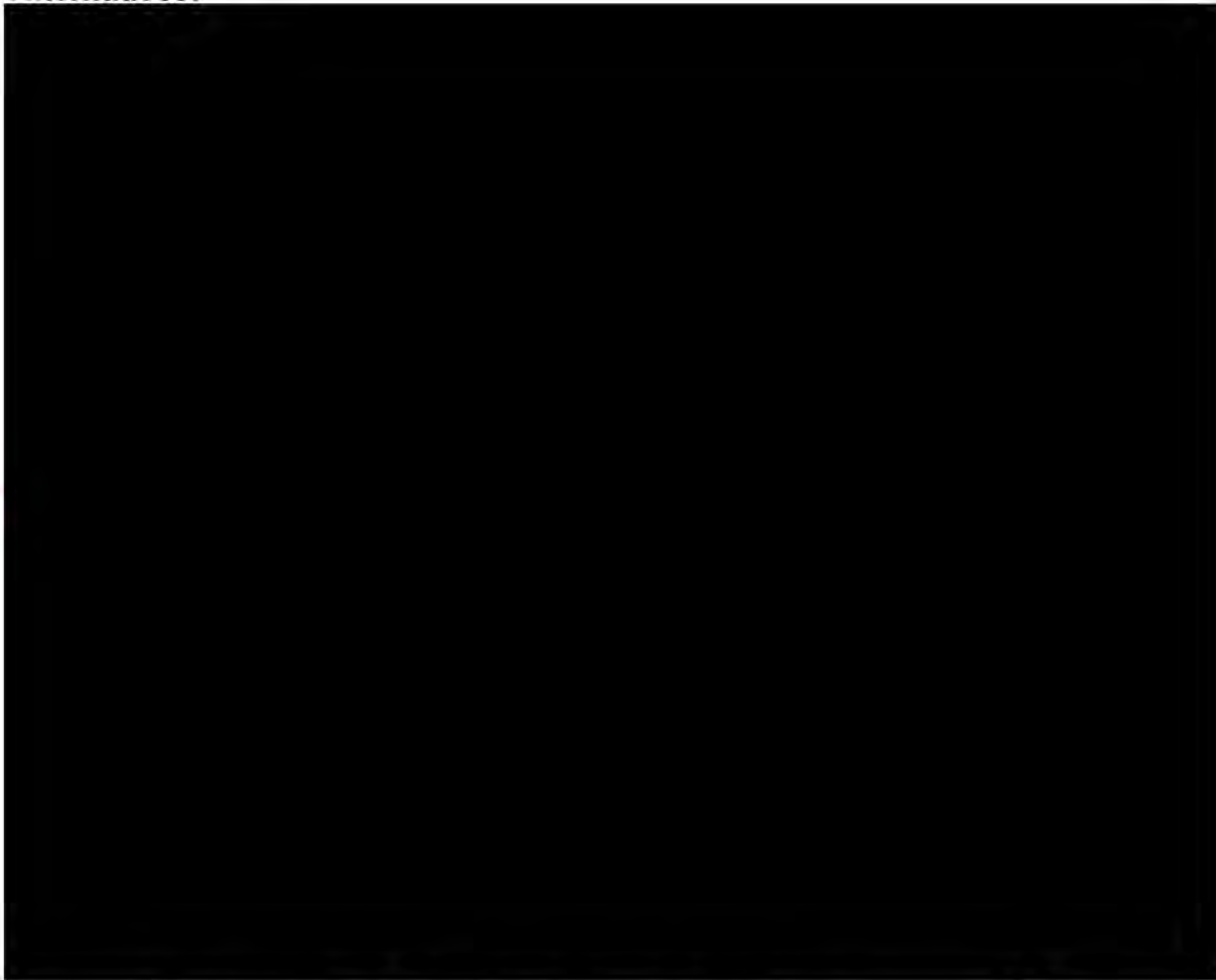
- Mid shore mobile 5.7%
  - Inshore fixed gear bycatch .75%
  - Indigenous quota bank 10%
  - Shrimp harvesters 10%
  - Special Program for Gulf Plant 0%
- At the January 26, 2024 announcement DFO indicated that the Redfish Advisory Committee (RAC), which includes representatives from DFO, the fishing and processing industry, Indigenous groups, provincial governments, and other stakeholders, would determine how to share allocations for each fleet, establish management measures, and consult on a TAC for the 2024 fishing season and that it was possible the final TAC would be set above the 25,000 t level.
  - The RAC met March 4 to 7, 2026 with significant participation from the industry, Indigenous groups, provincial governments and other stakeholders to discuss the TAC and management measures for Phase 1 of the Redfish fishery.

#### **Analysis:**

- Given the low recruitment and growth observed in recent years, even in the absence of fishing, Redfish biomass is expected to decrease in upcoming years due to natural mortality.
- Prospects for the Gulf redfish stock are extremely positive for the short term. Based on these results, a Total Allowable Catch (TAC) increase is expected for 2024/25 for *S. mentella*. However, caution must be taken as these removals are only being considered on an annual basis and will be redetermined each year based on observed SSB. This is due to low recruitment observed for the stock in recent years.
- Redfish stocks will provide an opportunity to maximize the benefits to this province. Future plans should ensure that Unit 1 Redfish is harvested sustainably and managed for the benefit of the people of Newfoundland and Labrador. FFA has stated that access and allocation of fishery resources should recognize the principle of adjacency and historic attachment to the fishery, as well as Indigenous participation in the fishery going forward.
- 
- Multiple management measures were discussed for the Unit 1 Redfish fishery. The main focus was to reduce bycatch of other species within the region. The measures discussed included, but were not limited to area closures, depth restrictions, gear types, season duration and timing.

- Stakeholders has raised concerns regarding the management measures for this fishery. Specifically:
  - Measures should ensure that the Unit 1 Redfish fishery does not become a means to target higher value species as bycatch;
  - Measures should not be so restrictive that the fishery becomes prohibitive;
  - Measures should not exclude Redfish fishing areas that have been harvested successfully in the Index Fishery; and
  - Measures in Unit 1 and Unit 2 should be comparable.
  
- DFO has requested that any written submissions provided on the TAC or management measures for the Unit 1 Redfish fishery be received by March 14, 2024.

**Alternatives:**



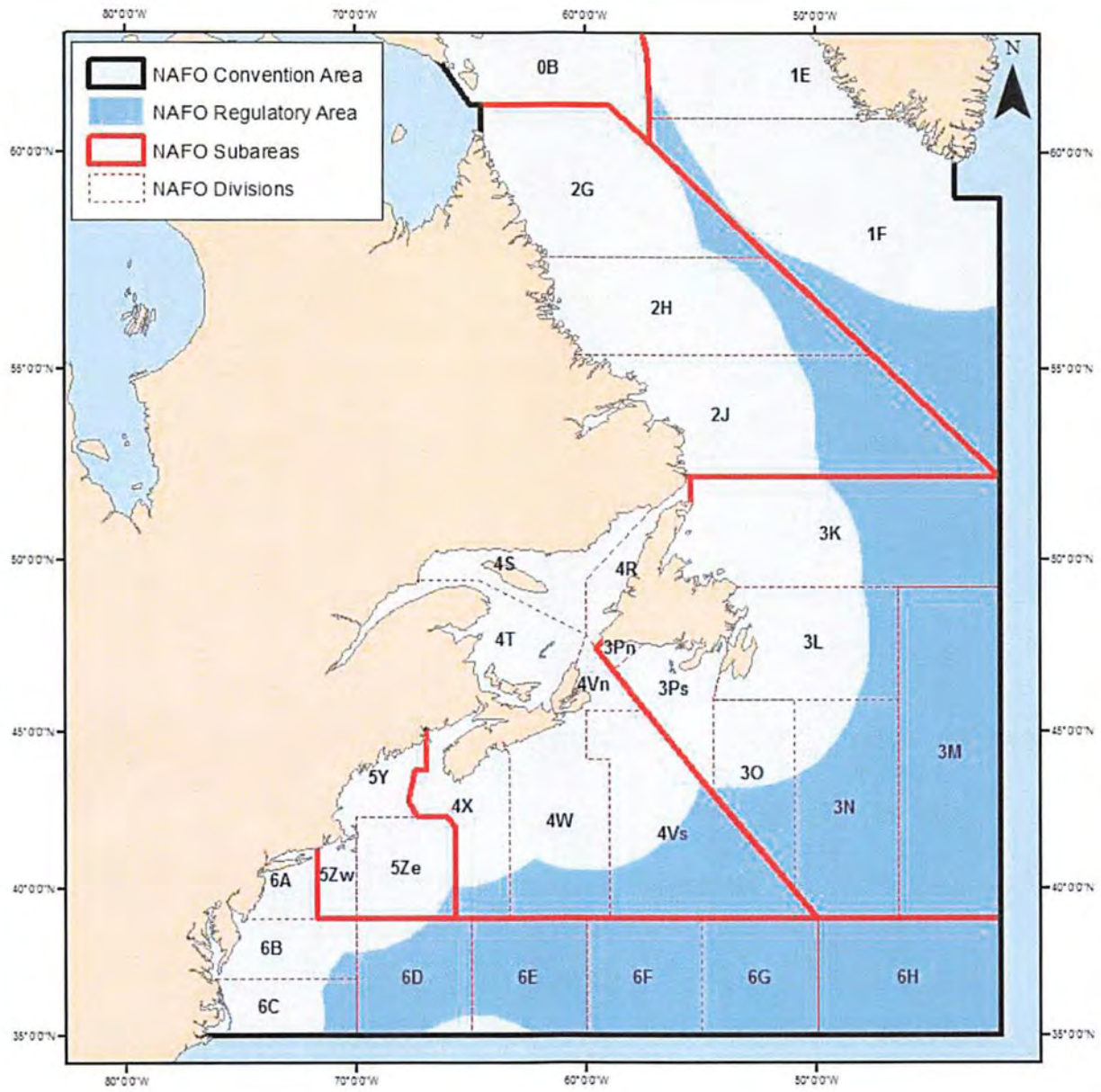
29(1)(a)

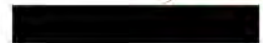
**Prepared/Approved by:** A. Burridge/B. Hanlon/J. Chippett  
**Ministerial Approval:**

March 12, 2024



### ANNEX 1: NAFO Regulatory Areas





**Decision/Direction Note  
Department of Fisheries, Forestry and Agriculture**

**Title:** Mowi Canada East Inc. to sublease sites to Nova Fish Farms Inc.

**Decision/Direction Required:**

- Whether to approve Mowi Canada East Inc. (MOWI) to sublease Steelhead trout sites to Nova Fish Farms Inc. (NFF) with a 72-month renewable sublease agreement.

- 

29(1)(a),  
35(1)(d)

**Background and Current Status:**

- MOWI has three licensed Steelhead trout sites in the Bay d'Espoir area: Man of War Cove (AQ 201), Lou Cove (AQ 155) and Roti Bay Site 1 (AQ 77).

- 

29(1)(a),  
35(1)(d)

- FFA's Aquaculture Policy AP19 Site Transitions allows for the sublease of buying, selling and sub-leasing of aquaculture sites. To sublease sites, a consent form is signed by FFA and the lessee. The consent enables the lessee and sub-lessee to enter into a sub-lease agreement.

**Analysis:**

- FFA has permitted subleasing in previous years with the last sub lease completed in 2015.
- AP 4 Aquaculture Licensing Process must be followed before a site can be sub-leased. The lessee and Sublessee must be in compliance with Departmental Policies and agree to terms and conditions outlined in the Sublessee Consent Form. The Sublessee is required to submit application package and pay fees. The package is reviewed against policies and is subject to the licensing process.
- The Consent Form removes liabilities from the department and provides consent to the lessee to enter into this sublessee arrangement. The lessee is required to abide by the conditions of their Crown land permits and associated licenses.

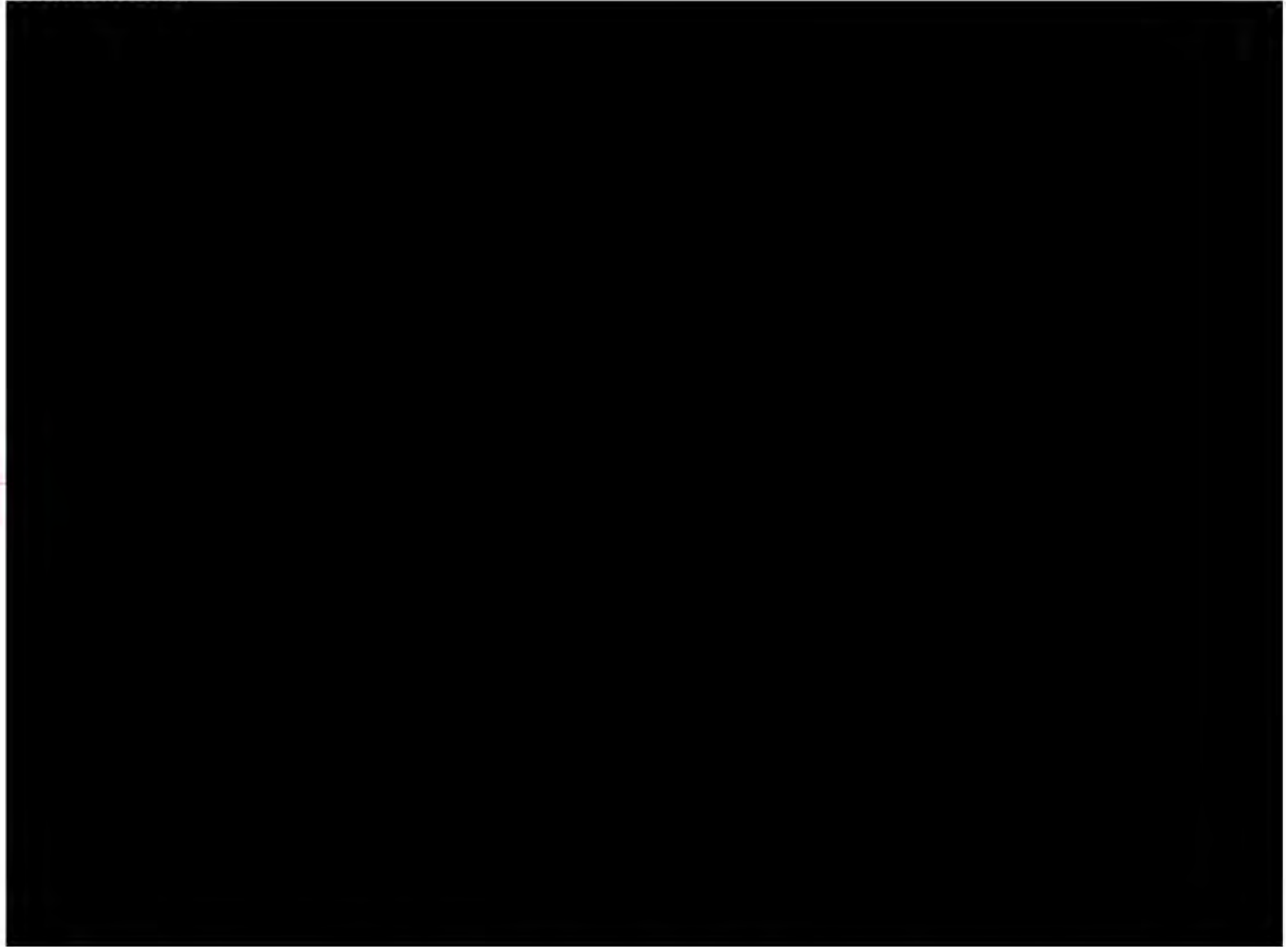
- 

29(1)(a),  
30(1)(a),  
30(1)(b)

- 

29(1)(a)

**Alternatives:**



29(1)(a),  
35(1)(d)

**Prepared/Approved by:** G. Hoskins and N. Penton / S. Synard-McInnis/ B. Hanlon

**Ministerial Approval:**  
March 20, 2024

A handwritten signature in blue ink, appearing to read 'Elm Lemley', is positioned to the right of the Ministerial Approval text.



**Decision/Direction Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Total Allowable Catch (TAC) Recommendations for Gulf of St. Lawrence Groundfish Stocks for 2024-25

**Decision/Direction Required:**

- Whether to support status quo Total Allowable Catch (TAC) recommendations for 4RST Atlantic halibut and 4RS, 3Pn Northern Gulf cod and a TAC of 823 t for 4RST Greenland halibut (turbot) in 2024-25.

- 

29(1)(a)

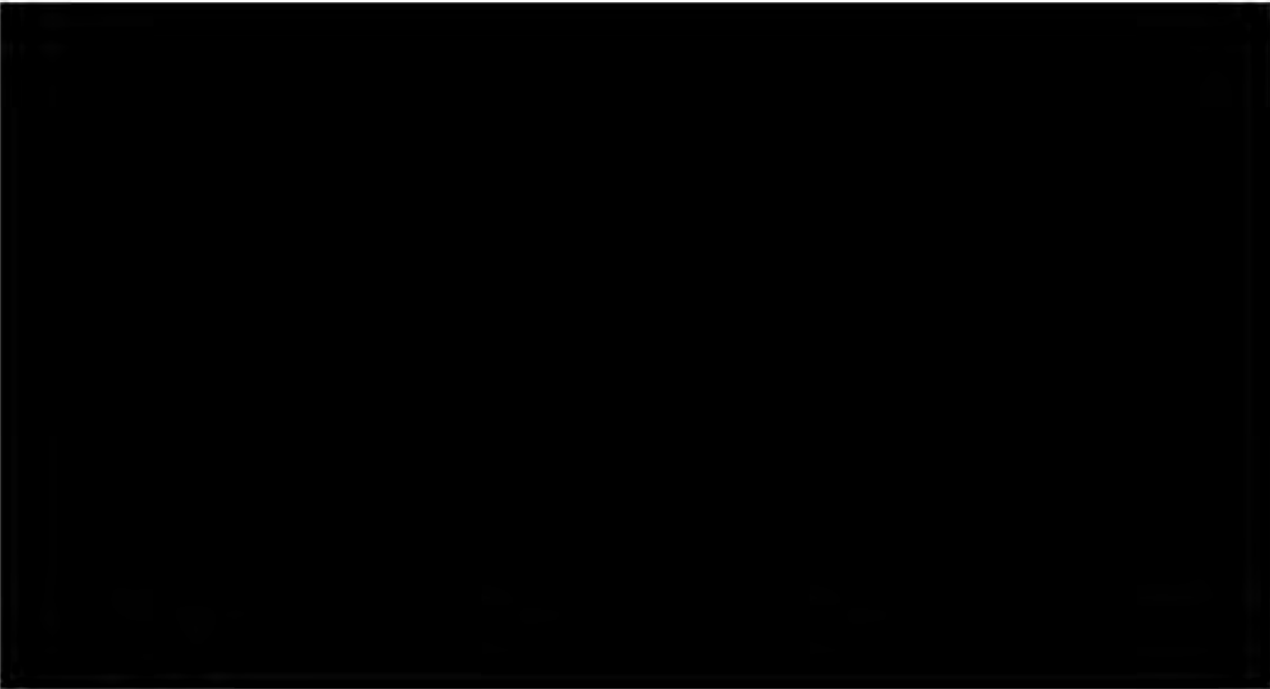
**Background:**

- Over 700 inshore fixed-gear enterprises from Newfoundland and Labrador (NL) are licensed to fish groundfish in the Gulf of St. Lawrence in the Northwest Atlantic Fisheries Organization (NAFO) Divisions 4RST.
- A Gulf Groundfish Advisory Committee (GGAC) meeting was held on March 13, 2024, to discuss TACs for Atlantic halibut (4RST), turbot (4RST) and Northern Gulf cod (4RS, 3Pn). The Department of Fisheries and Oceans Canada (DFO) has asked the Province for its position on TACs for each stock by March 20, 2024.
- Stakeholders present at the GGAC included, but were not limited to the Fish, Food and Allied Workers Union (FFAW) and the Atlantic Groundfish Council (AGC).

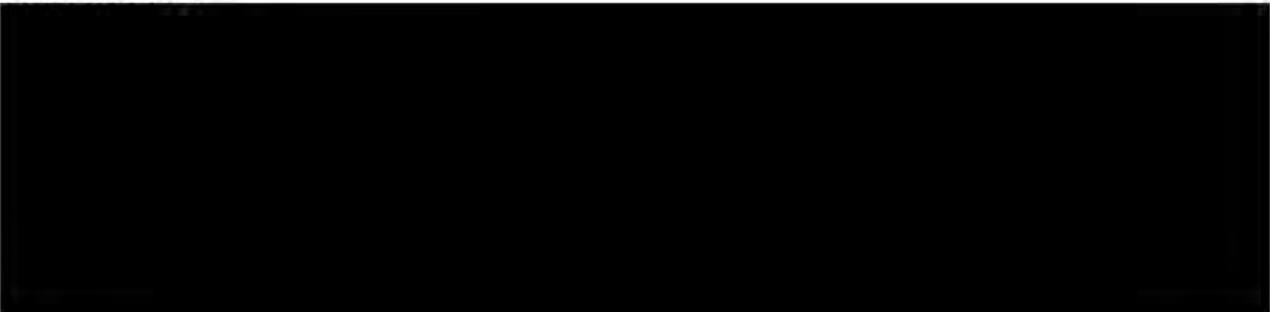
**Analysis:**

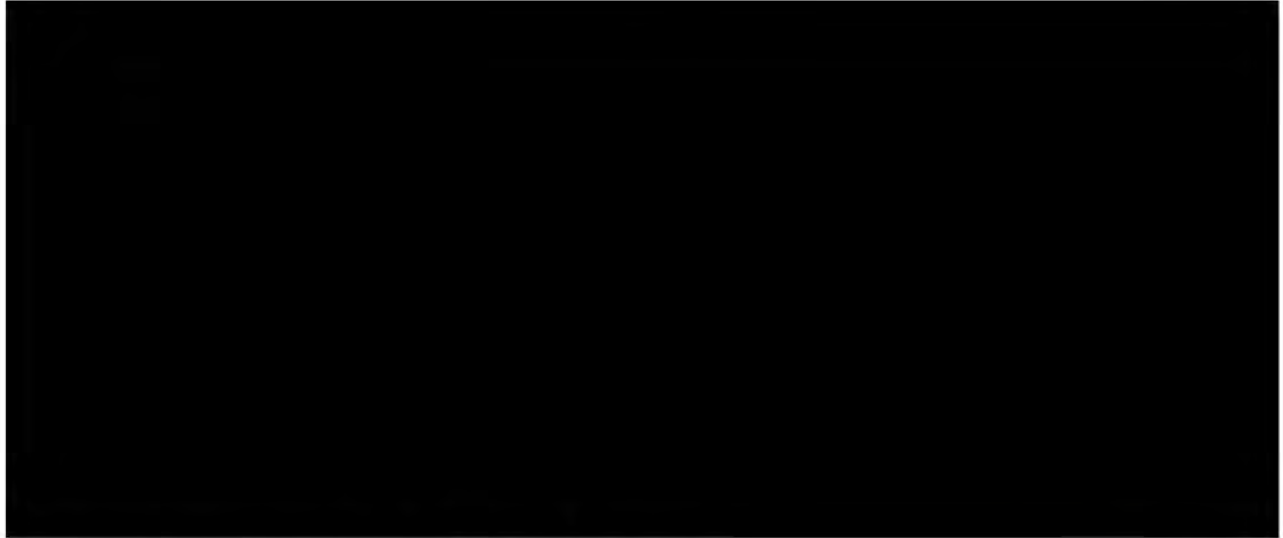


29(1)(a)



**Alternatives:**





Prepared/Approved by: A. Burrige/B. Hanlon  
Ministerial Approval:

March 14, 2024

A handwritten signature in blue ink, appearing to read "Elm. Louisa", is written over the "Ministerial Approval:" line.

**Information Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Snow crab processing capacity

**Issue:** To provide information on snow crab processing capacity, landing data and types of processing licences.



**Background and Current Status:**

- There are currently 26 snow crab licence holders within the province of which seven are within the Western region, six within the Labrador/Northern region and 13 are within the Avalon/Eastern region.
- Three of these licences are value-added snow crab processing licenses created in 2001 (Terra Vista Limited, Happy Adventure Sea Products Ltd. and Green Seafoods Limited).
- The majority of primary processing licences issued by FFA are permitted to process unlimited raw material of a licensed species. To date, three licences have been issued with a cap on the amount of raw material that can be purchased. They are:
  - Golden Shell Fisheries Ltd., Hickman's Harbour: Issued a licence in 2021 for sea cucumber with a one million pound cap;
  - Dandy Dan's Fish Market Ltd., Argentia: Issued a licence in 2022 for snow crab with a 2 million pound cap (not in production); and
  - St. Mary's Bay Fisheries, St. Mary's: Issued a licence in 2022 for snow crab with a 2.5 million pound cap.
- Each of the value added licences have a cap of 1 million pounds, although they can bring in any amount of additional crab from outside the province for value added processing.
- Current processing licencing policy dictates that for shrimp, snow crab, groundfish, and pelagics, resource thresholds will be an important factor in determining whether there is ample resource available to justify the authorization of a new licence.
- The current resource threshold for snow crab is set at 2,000 t, [REDACTED]
- There are currently two snow crab licence applications that are recommended by the Fish Processing Licensing Board in for Ministerial consideration from Bay Roberts Seafoods and HSF Ocean Products.
- The FFAW has requested that the Minister eliminate the processing cap on all licences and issue the two new licences.

29(1)(a)

**Analysis:**

- In 2023:
  - There were approximately 2,200 snow crab harvesters in the province.
  - The average week's employment for all 23 active snow crab processors was 11.3.

- The total allowable catch (TAC) was 54,727 tonnes (120 million pounds). See Appendix A for historical TACs.
- Processors processed approximately 13 million pounds (Raw Weight Equivalent) of crab per week.
- The average resource per license including value added processors is 2,104 t slightly above the recommended minimum resource threshold of 2,000 t for snow crab, excluding value added processors the current average is 2,379 t.
- Value-added snow crab processing licenses were created to resolve a legal dispute in 2001 and represents a policy aberration. Value-added snow crab licence holders are restricted to producing "snap and eat" (crab sections on which the individual legs have been scored or notched to more easily break the shell to extract the meat contained inside), consumer pack, and other value-added product forms approved by the minister. Snap and eat scored snow crab sections may be produced in any pack size, and consumer pack snow crab sections are not allowed to be produced in a consumer pack which exceeds 10 pounds.
- Value-added snow crab processing licences are limited to purchasing a maximum of one million pounds of raw material annually from fish harvesters landing in Newfoundland and Labrador. There are no limits placed upon the volume and amount of snow crab obtained from outside Newfoundland and Labrador; however, this snow crab is also subject to the same value-added licence conditions and directive as snow crab sourced from within the province.
- As per section 5.2.2 of the licensing policy manual, consolidation is enabled by allowing the combination of two value added licenses into one primary license with one plant closure or three value-added into one primary with no plant closures. This was introduced to enable the eventual elimination of this licence category.
- 
- 
- The Marketing and Development Division of FFA has reviewed the request and indicated that the current market is not demanding a snap and eat value-added product form of crab. The vast majority of the production at existing snow crab plants consist of sections. Although some plants prepare sections in two or five pound consumer packs, most of the production is in 20 and 30 pound boxes.
- FFA officials support the conversion of value added licences to primary processing licences. Such an adjustment would still enable the companies to do value added processing if they wanted to do so. Given these licence types were the result of a legal settlement the action would need to be reviewed and signed off on by both parties.

29(1)(a),  
35(1)(d)

- As illustrated by the production reports for the first three weeks of the 2023 snow crab fishery, processing throughput per week was higher in 2023 compared to 2022 with a 282 per cent increase in production in the first week of 2023, a 54 per cent increase in the second week and 36 per cent increase in the third week. [REDACTED]
- It should also be noted that in combination with increased production there were also more reports of dead or low quality crab as well as long working hours for plant workers.
- Most snow crab assessment divisions are showing improvements, however, there are indications that abundance indices of pre-recruits (2-4 years until commercial size), may have peaked. While the overall stock status is positive, it's possible that changing environmental conditions, including water temperatures, may limit the stock's growth in the short-term. Both pre-recruit (adolescent males > 75 mm) catch indices and forecasts of exploitable biomass based on environmental variables indicate that stock growth may be limited in the short-term.
- DFO has indicated that the TAC for snow crab will be announced during the week of March 18, 2024. A modest increase of approximately 5% is expected, which would equate to an approximately 6 million pound increase.
- [REDACTED]
- If all caps were lifted and two additional licences were granted per the recommendation of the Board, the average resource per license would be 2,056 t based on the anticipated 2024 TAC.
- Any decision on raising or eliminating caps should also contemplate the overall condition of the resource, which is expected to decline in upcoming years, the availability of fish plant workers, as well as the overall processing capacity within the industry.
- [REDACTED]

**Action Being Taken:**

- Minister to make a decision on the new processing licences and direct any required action related to processing caps.

**Prepared/approved by:**

D. Lockyer/ B. Hanlon/ J. Chippett  
Honourable Elvis Loveless (pending)

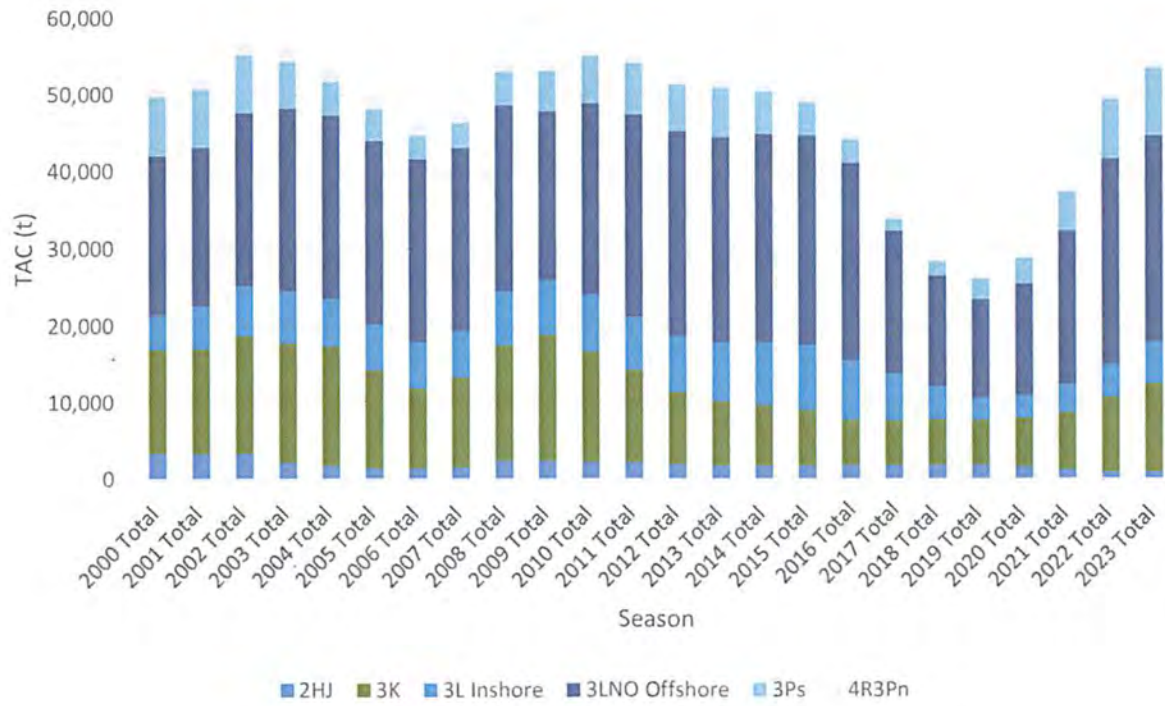
**Ministerial Approval:**

March 20, 2024



Appendix A

Snow Crab Historical TAC by Assessment Division



**Decision Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** Outside Buyers

**Decision/Direction Required:**

- Whether to allow outside buyers for the 2024 snow crab fishing season.

29(1)(a)

**Background and Current Status:**

- The **Fish Inspection Act** and its associated regulations requires any person engaged in handling, storing, grading, buying, processing, marketing and transporting fish to be issued a fish buyers license or a fish processing license by the minister.
- Fish harvesters are exempt from this licensing requirement provided they sell the catch directly to a licensed buyer or processor in the province. Fish harvesters are not permitted to ship their fish outside the province.
- In recent days the FFAW has been calling on Government to open the crab fishery up to outside buyers to facilitate free enterprise in the fishery.
- On March 14, 2024 the Minister of FFA has issued a letter to the FFAW requiring input into an expression of interest process for outside buyers for snow crab.
- A response was received from the FFAW on March 15, requesting four things:
  - 1) Lift all processing caps in the province (three value-added and two snow crab)
  - 2) Grant new processing licenses
  - 3) Remove restrictions on outside buyers for all species
  - 4) Undertake a formal, independent review of the province's processing licensing policy
- The Minister of FFA responded on March 19 indicating that:
  1. processing capacity would be increased, informed by the 2024 TAC for snow crab this could be lifting caps, issuing new licenses or a combination of both;
  2. an expression of interest for outside buyers would be issued for snow crab the 2024 season; and
  3. the Department would be reaching out to the FFAW to seek views on a formal review of the processing policies.

Employment Insurance

- According to the CRA, the buyer of a catch will be considered as the designated employer of all the self-employed fishers who make the catch if the buyer buys the catch and both of the following conditions are met: 1) it is bought for resale and not for their own use as bait, feed, or food; and 2) it is delivered in Canada to either the buyer or the buyer's agent. The designated employer is responsible for deducting EI premiums from fishers and remitting the EI premiums (including the employer's portion) to the CRA.

- If a catch is delivered to a foreign buyer, the buyer of the catch is not considered as the designated employer under the EI program, and therefore will not be subject to the above responsibilities. Under a previous pilot project to allow outside buyers for 3Ps cod, the buyer was required to be licensed in the province and to pay EI, CPP, and workers compensation.
- In some cases the buyer of a catch is not considered as designated employers by CRA (for example, the catch is delivered to a foreign buyer), the head fisher of a crew (if the gross returns from the sale of the catch are paid to the head fisher of a crew), or the agent acting either for the buyer or for the crew, will be considered as designated employers by CRA and be responsible for deducting EI premiums from fishers and remitting EI premiums to the CRA.

### Workers Compensation

- Fish buyers must register with the Commission and pay assessments on the value of fish purchased from commercial fishers. Fish purchase accounts must be opened by:
  - Fish plants that purchase fish either directly or indirectly from commercial fishers unless the fish is acquired from another processing establishment;
  - Commercial buyers who purchase fish directly from commercial fishers and who do not resell the fish to a fish processing plant; and
  - Managing owners or persons employing crew members on a boat, vessel or ship engaged in the fishing industry in NL, who land part of the boat's catch outside the province.
- As commercial fishers are generally covered by the assessments paid by fish buyers, vessel owners or fishing enterprises do not normally have to register with the Commission. However, there are several instances where a commercial fisher or fishing enterprise would be required to register with the Commission including if the vessel catch isn't sold to a fish buyer required to register with the Commission (e.g., the fish is sold outside of the province). In this situation, the person who engaged the master or crew of the fishing boat, or the person or organization that transmitted the crew share of the sales must register with the Commission. This may be the vessel owner, fishing enterprise, or the person or organization that controls or decides where the fish is sold.

### **Analysis:**

- Under the **Fish Inspection Act** and regulations, the Minister of Fisheries, Forestry and Agriculture specifies the minimum level of processing required for each species of fish before it may be exported from the province. Consequently, there is little opportunity for fish buyers from outside NL to source unprocessed raw material from this province.
- Over the years, the minimum processing requirements (MPR) have evolved to reflect changing market opportunities. Examples include crab sections, whole greysole and head-on-gutted, frozen turbot. [REDACTED]
- Outside buyers have not traditionally been granted direct access to buy crab or other species, and instead have had to work out arrangements with NL licensed processors. This approach recognizes the differences in services provided and fees paid by buyers in the Maritimes versus those paid by NL processors. For example, NL processors have to pay workers compensation fees on behalf of harvesters, deduct employment insurance premiums, collect and remit union dues, and often provide bait and other services, whereas this is not the case in the Maritimes.

29(1)(a)

- The department implemented a pilot project in both 2014 and 2015 to explore opportunities to better utilize the cod resource in NAFO Area 3Ps and enhance marketing capabilities by relaxing the MPRs for this species. To further increase participation in this project, the department considered proposals from in-province retail fish establishment processing licence holders, active primary processors who lost the groundfish species authorization due to inactivity, and outside buyers.
- While the pilot project was open to outside (non-resident) buyers, no licences were issued. The lack of participation may have been attributed to several factors which included:
  - Submitting the \$1000 licence fee
  - Registering in the province of Newfoundland and Labrador
  - Having a performance bond in place
  - Deducting Employment Insurance premiums on behalf of harvesters
  - Registering with Workplace NL and submit returns
  - Paying harvesters based on the criteria set out in the Collective Pricing Agreement
- The objective of the MPRs is to strike a reasonable balance that supports employment opportunities for plant workers, while ensuring that harvesters are receiving fair prices for their catch.
- [REDACTED]
- The current licensing policy considers the resource thresholds that are in place for the issuance of additional licenses. [REDACTED]
- There are currently 23 primary crab processing licenses and three value-added crab processing licenses (capped at 1 million pounds of direct purchases from harvesters) in NL. Two of the 23 primary processing licences for snow crab are capped at 2 and 2.5 million pounds. [REDACTED]
- As illustrated by the production reports for the first three weeks of the 2023 snow crab fishery, processing throughput per week was higher in 2023 compared to 2022 with a 282 per cent increase in production in the first week of 2023, a 54 per cent increase in the second week and 36 per cent increase in the third week. [REDACTED]
- It should also be noted that in combination with increased production there were also more reports of dead or low quality crab as well as long working hours for plant workers.
- There were a total of 588 temporary foreign workers employed in the primary processing sector in 2023 up from 259 in 2022, which indicates an increased reliance on foreign labour which in 2023 made up approximately 10% of the processor labour force.

- [Redacted]
- [Redacted]
- Allowing outside buyers [Redacted] allowing for adaptations as required.

**Alternatives:**

[Redacted]

**Prepared/Approved by:** B. Hanlon/J. Chippett  
**Honourable Elvis Loveless:** Honourable Elvis Loveless (Pending)

March 21, 2024

**Information Note**  
**Department of Fisheries, Forestry and Agriculture**

**Title:** DFO Risk Assessment on genetic interaction between wild and farmed Atlantic Salmon

**Issue:** Overview of Fisheries and Oceans Canada (DFO) Canadian Science Advisory Secretariat (CSAS) Science Advisory Report (SAR) - 2023-24 Assessment of the Risk Posed to Wild Atlantic Salmon Population Abundance and Genetic Character by Direct Genetic Interaction with Escapes from East Coast Atlantic Salmon Aquaculture.

**Background and Current Status:**

- There has been a long-standing interest and concern of the potential impact of escaped farmed salmon on the wild salmon population including the risk of genetic hybridization from the successful breeding of escaped farmed salmon with wild salmon.
- DFO held a CSAS on June 6-9, 2023, to assess the risks to wild Atlantic salmon population abundance and genetic character resulting from direct genetic interactions with escaped farmed Atlantic salmon. [REDACTED]
- CSAS representatives included: provincial (FFA, Dr. Daryl Whelan), federal, First Nations, Academic, wild salmon conservation groups, and individuals from Iceland and Norway. Salmon aquaculture companies were not invited to attend the CSAS.
- The results of the CSAS will be released on March 21, 2024, as the Science Advisory Report. Subsequent research paper publications will follow in the coming weeks.


- [REDACTED]

**Analysis:**

- Implementation of management and mitigation measures as it relates to future considerations for site applications, approval of fish transfers, development of comprehensive monitoring programs, etc., could be influenced due to this study.
- To make well-informed decisions, it is critical that DFO works with provincial lead regulators and utilizes reliable data inputs when running [REDACTED] models to assess risk from genetic interactions of wild and farmed salmon.
- The data collected for the risk assessment models included data from 2011-2021. For the NL data, the maximum stocking numbers were considered and not actual stocking numbers. The models also did not take into consideration the stocking and fallow periods required in NL under the Bay Management Agreement, but assessed the data as if all licensed sites were fully stocked at the same time within a region.
- Further studies are necessary to refine the data to improve model accuracy and to validate the assumptions and outputs. The SAR highlights the recognition that as production strategies change and more accurate data is obtained on production and escapes, conclusions may change and be more refined. The levels of uncertainty with the modelling are noted in the SAR.
- Further study and modelling are required, as the aquaculture sector continues to implement infrastructure and practices which are not captured in the recent CSAS.

- The management of aquaculture in Atlantic Canada is a shared responsibility. In NL, FFA is responsible for issuing aquaculture licenses, land use, aquaculture development, and farmed fish health; while DFO is responsible for conservation and protection of wild fish, fisheries, and fish habitat. FFA works closely with other federal departments and provincial authorities to manage aquaculture activities within the province.

29(1)(a)

- 
- **Summary of Report.**
  - Risk was assessed based on the likelihood assessment (escape, exposure, and interbreeding), consequence assessment (looked at potential impacts), and a risk estimation.
  - Risks were assessed in six different areas in Atlantic Canada in NB, NL, and NS.
  - Data included production numbers, escape numbers and numbers of wild salmon in rivers assessed. Based on the inputs from the models for NL, it was determined that the level of risk for abundance for escapes was low too high in South Newfoundland West; the risk to genetic interactions was low for South Newfoundland East.
  - The paper states that to reduce risk to wild salmon, that models would require mitigation efforts to reduce escapes by 50 per cent to bring areas of high-risk to low risk.
  - The report describes mitigations in place to reduce escapes. Inclusive of sterilization techniques and infrastructure change that are in operation today, with variable application due to regional differences.

**Action Being Taken:**

- The province will work with DFO on recommendations from the report to continue to mitigate risk in the Aquaculture industry.

**Prepared/Approved by:** S. Synard-McInnis / Dr. D. Whelan / B. Hanlon

**Ministerial Approval:**

March 19, 2024



## **ANNEX A - FFA Q and A**

### **Who is responsible for the management of aquaculture in NL?**

The management of aquaculture in Atlantic Canada is a shared responsibility. In Newfoundland and Labrador FFA is responsible for issuing aquaculture licenses, land use, aquaculture development, and farmed fish health; while DFO is responsible for conservation and protection of wild fish, fisheries, and fish habitat. FFA works closely with other federal departments and provincial authorities to manage aquaculture.

### **What is FFA's responsibility regarding aquaculture escapes in Newfoundland and Labrador?**

FFA works with DFO through the [Code of Containment for the Culture of Salmonids in Newfoundland and Labrador](#) which is a collaborative joint management process to strengthen protocols and measures to reduce risks of farm salmon escape. All salmonid aquaculture companies must adhere to this Code as a condition of their aquaculture licence. The Code includes standards for equipment, handling practices, documentation and reporting, and mitigations including DFO administered measures to recapture escaped fish. DFO is responsible for managing the actions and enforcement in relation to fish escapes.

FFA conducts regular Code of Containment inspections on aquaculture operators. Should an operator not be in compliance with any element of the Code, they risk suspension or cancellation of their aquaculture licence. In addition, FFA's aquaculture policy and procedures require licensed finfish companies to publicly report suspected and confirmed escapes within 24 hours of an occurrence.

### **What is the province doing to improve the traceability of farmed salmon?**

FFA is currently engaged with industry and DFO to develop enhancements for traceability. FFA participates on an escape monitoring committee led by DFO that is developing tools for the monitoring and traceability of escaped farmed salmon in NL. This committee includes membership from salmonid aquaculture companies operating in the province, the Newfoundland Aquaculture Industry Association, and involves the establishment of working groups with academic and Indigenous representation.

This work will support the examination of the potential impacts of escaped farmed salmon on wild populations in Atlantic Canada.

### **What is the province going to do now that DFO has released this report?**

FFA has worked steadfastly to regulate the aquaculture sector and maintain its sustainability. FFA has completed modernization of the *Aquaculture Act* and is now completing updated Regulations. Elements of the regulations reinforce the requirements for stakeholders to utilize optimal infrastructure and practices as well as report when escapes occur. In recent years, NL has seen a decline in escapes as infrastructure and practices have evolved. NL is committed to sustainable aquaculture that occurs on-land, in freshwater and in the marine environment.

NL will continue to work with our colleagues in the Atlantic Provinces, Fisheries and Oceans Canada, the aquaculture sector and other regulators to ensure the sustainable management of the aquaculture sector for the benefit of Newfoundland and Labrador.



**Information Note  
Department of Fisheries, Forestry and Agriculture**


**Title:** 2024 Canada-France Advisory Committee (CFAC) Meeting

**Issue:** Outcomes of the 2023 Canada–France, in respect of Saint-Pierre et Miquelon (SPM), negotiations under the Procès-Verbal (PV) and an update on Atlantic halibut negotiations.

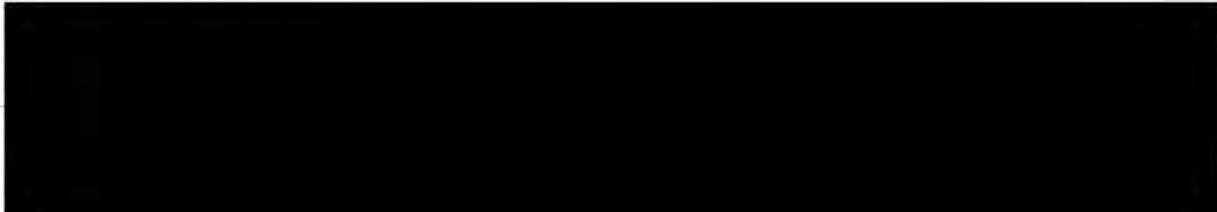
**Background and Current Status:**


- Consistent with the provisions of the PV, the Advisory Committee, which includes representatives from Canada and France, met in person in Paris, France on March 19-21, 2024. to negotiate Total Allowable Catches (TACs) for bilaterally managed transboundary stocks.
- Newfoundland and Labrador participate in these negotiations along with Fisheries and Oceans (DFO) and industry representatives. Industry representatives present at the meeting included Icewater Seafoods Inc., Ocean Choice International (OCI), Atlantic Groundfish Council (AGC), and Harbour Grace Shrimp Company.
- The following stocks are included in Annex I of the PV: 3Ps cod; 3Ps American plaice, 3Ps witch flounder, Unit II redfish, and Iceland scallop in the core area. The French also hold shares of other Canadian managed stocks as part of the PV. These include Gulf cod, grenadier, 2+3K Greenland halibut, 3O redfish, silver hake, and squid.

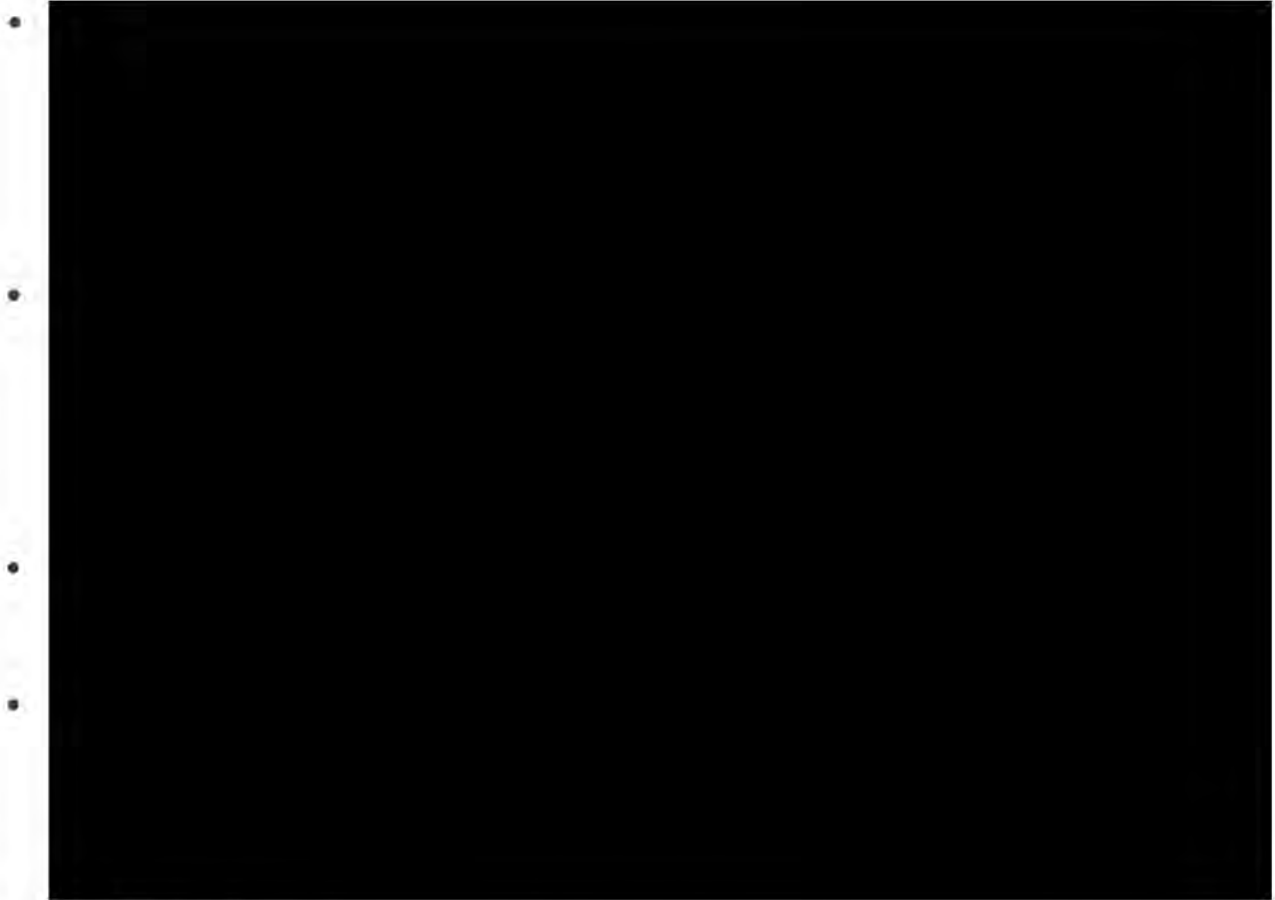
**Analysis:**

- The TAC decision point for 3Ps Atlantic cod was based on the management procedure (MP) proposed in the 3Ps Cod Rebuilding Plan and approved by Canada and France at the 2023 meeting. The 2024-25 TAC is 1,550t.
- The 3Ps cod MP uses a fishing mortality (F) =0.65, which supports a removal level that balances rebuilding the stock while also considering socio-economics. 
- France landed sea cucumber, Snow Crab and lobster in Newfoundland and Labrador in 2023 that resulted from fishing activity in the French zone. These species are outside of the PV agreement with Canada.

29(1)(a) 

29(1)(a) 

34(1)(a)(i) 



**Action Being Taken:**

- FFA will continue to collaborate with DFO and industry on the rebuilding and management of 3Ps cod as well as other stocks managed under the PV.
- FFA will collaborate with DFO and industry on discussions of a potential sharing arrangement for Atlantic halibut in 3Ps.
- FFA will continue to participate in discussions regarding the PV, [REDACTED]

**Prepared/approved by:** A. Burrige/B. Hanlon

**Ministerial Approval:**

March 26, 2024

A handwritten signature in blue ink, which appears to read "Elms Hanlon", is written over the "Ministerial Approval" line.



Appendix A:

34(1)(a)(i)



**Decision/Direction Note**  
**Department of Fisheries Forestry and Agriculture**

**Title:** 2024 Total Allowable Harvest of Polar Bear

**Decision/Direction Required:**

- The Torngat Wildlife and Plants Co-management Board (TWPCB) wrote Minister Loveless requesting that government increase in the Total Allowable Harvest (TAH) of polar bears from twelve bears to nineteen for 2024.

- [REDACTED]

29(1)(a)

**Background and Current Status:**

- Polar bears that occur in Newfoundland and Labrador are part of the Davis Strait population with management shared between Nunavut, Quebec, Newfoundland and Labrador, and Greenland.
- Under the Labrador Inuit Land Claims Agreement (LILCA), Inuit have the exclusive right to harvest, throughout the Labrador Inuit Settlement Area, the TAH of polar bears in Newfoundland and Labrador.
- The current TAH of twelve bears for the 2024 season was established in the approved 2023-2024 Game Management Plan approved in November 2022.
- The current season opened February 1, 2024 and runs to June 30, 2024.
- At the behest of Nunatsiavut Government (NG), the TWPCB has requested an increase from a twelve to nineteen bear TAH for the 2024 season. The additional licences include one license for education and cultural purposes, one for beneficiaries residing in Upper Lake Melville, and five licenses for Defense-of-Life-and-Property (DLP).
- The TWPCB is responsible for establishing, modifying, and eliminating the Polar Bear TAH and provides the TAH to the Minister of FFA yearly. The Minister has the final decision on the number of Bears permitted to be harvested in the province.
- The TAH for Newfoundland and Labrador has been twelve bears since 2011. The TAH for the Davis Strait subpopulation in other jurisdictions include: 61 for Nunavut, three for Greenland, and 29 for Quebec (Nunavik). The Nunavut quota has been under harvested for a number of years.
- A recent survey of the Davis Strait polar bear population suggests it has been stable at about 2000 bears over the past ten years. An increase in quota from twelve to nineteen will not have a significant impact on the population.
- While the request is for an increase of seven bears, NG only intends to harvest fourteen. The remaining five licenses will be reserved for Defense-of-Life-and-Property (DLP). Since 2011 the DLP kills have been limited to 1-2 bears per year. It is unlikely that all five DLP licenses will be used.
- In the past the DLP kills were removed from the twelve bear TAH.

**Analysis:**

- The TWPCB has stated they do not feel there are any conservation concerns related to this increase in TAH and that the impact of a modified TAH will be minimal. Especially given the subpopulation's overall harvest remains below the long-term average. The Board has committed to reviewing the decision following the 2024 season. FFA can expect to receive an updated request for the 2025 TAH following the 2024 season.
- Wildlife Division biologists do not see any substantial conservation concerns with this request or a change to the provincial TAH.
- The Division currently has sufficient spare tags to support the harvest licence for Upper Lake Melville beneficiaries but will be printing new tags for the cultural education licence and the DLP licences.

- 

29(1)(a),  
34(1)(a)(v)

- Polar bear is an iconic wildlife species and increasing the quota may garner media attention from wildlife conservation or anti-hunting groups from outside Newfoundland and Labrador. However, the scientific data are supportive of this quota increase, and DLP licences are becoming increasingly important tools for public safety in the north.

**Alternatives:**



29(1)(a)

**Prepared/Approved by:**  
**Ministerial Approval:**

S. Moores/B. Adams/J. Chippett  
Received from Honourable Elvis Loveless

March 14, 2024

