

February 23, 2018

Honourable Gerry Byrne
Minister, Department of Fisheries and Land Resources
P.O. Box 8700
St. John's, NL A1B 4J6

Dear Minister Byrne:

Your Fisheries Advisory Council has reviewed the issues associated with the current review of the Federal *Fisheries Act*.

The Federal Government is considering a number of additions as part of the proposed amendments to the *Fisheries Act*. One of the considerations is to advance and improve fisheries management through the incorporation of modern resource management principles as well as through social, economic and cultural objectives. The majority conclusion of the Council is that inclusion of adjacency in legislation would be in the best interest of Newfoundland and Labrador by providing our people, communities, and industry with greater security of access to, and benefits from, the fishery resources off our province's shores. We believe this would be consistent with the objectives the Federal government is trying to achieve with the *Fisheries Act* amendments.

The Council further notes that the adjacency principle is consistent with the United Nations Convention on the Law of the Sea, which established national Exclusive Economic Zones and other international instruments which reference the rights of coastal states and communities with respect to fishery resources. Adjacency has also been referenced in a number of DFO policies such as the Commercial Fisheries Licensing Policy for Eastern Canada and the New Access Framework. In addition, its recognition in the *Fisheries Act* would be consistent with other domestic legislation, most notably the *Atlantic Accord Act*, which prescribes areas adjacent to the Province as a means of defining the offshore areas in relation to petroleum resources.

In closing, the majority see the inclusion of the principle of adjacency in the *Fisheries Act* as being directly linked to ensuring the long-term viability of the fishing industry in Newfoundland and Labrador and we encourage both you and the Newfoundland and Labrador fisheries stakeholders to pursue this issue with the Federal Government. The Council was unanimous in the sense of recognizing the importance of the principle of adjacency to the province. Unanimity was not achieved in terms of elevation of the principle of adjacency in the amended legislation.

I hope you find this advice valuable and ask that you please follow up with the Council should you have any questions regarding these points.

Sincerely,



William Wells
Chair, Fisheries Advisory Council