



Shellfish Aquaculture Licence under the *Fisheries Act*

This licence includes further conditions that are included herein and/or attached hereto. These conditions form part of the licence and may not be removed.

Licence For: Aquaculture

Licence No: AQSF 2025

Effective Date:

Expiry Date:

Anniversary Date:

ISSUED TO:

All parts of this licence are issued under the authority of the *Fisheries Act* and confer, subject to provisions of the *Fisheries Act* and Regulations made there under, the authority to carry out aquaculture activities including cultivation and harvest of fish and prescribed activities under the conditions included herein and/or attached hereto.

It is the responsibility of the licence holder to obtain all other forms of authorization from federal or provincial agencies that may have jurisdiction for marine shellfish aquaculture facilities. In addition to these conditions, it is the licence holder's responsibility to be informed of, and comply with, the *Fisheries Act* and the regulations made thereunder. This includes, but is not limited to, the *Fishery (General) Regulations*, the *Aquaculture Activities Regulations*, and the *Pacific Aquaculture Regulations*.

Under Section 17(1) of the *Fishery (General) Regulations*, a licence holder must notify the Department if it experiences any change to contact information within 15 days of such an occurrence. Failure to do so may lead to enforcement action being taken against the licence holder.

The above licence holder is authorized by this licence to carry out aquaculture activities within the licensed facility and for the following species:

| Facility Reference Number | Location and Legal Description |
|---------------------------|--|
| | «SITECOMMONNAME» «LEGALDESCRIPTION» «LANDFILENUMBER» «PFMA» Land File PFMA: |



Licensed Species

Site Specific Conditions:

This licence has no site-specific conditions.

Required Record Keeping and Reporting: Details are contained within the attached conditions of this licence.

Compliance Advisory: Persons carrying out activities under the authority of this licence may only do so in accordance with the conditions of this licence.

The licence holder is legally required to ensure that annual fees for this licence are paid each year not later than the anniversary date of this licence. The annual licence fee must be calculated as set out in section 3 of the *Pacific Aquaculture Regulations*.

A copy of this licence must be kept on site at the licensed facility and be made available for inspection by a fishery officer or fishery guardian.

SHELLFISH AQUACULTURE CONDITIONS OF LICENCE TABLE OF CONTENTS

| | |
|---|-----------|
| <u>PART A. Definitions</u> | 2 |
| <u>PART B. General licence conditions</u> | 5 |
| 1. Facility management plan | 5 |
| 2. Facility installation and maintenance | 5 |
| 3. Transfer of fish | 5 |
| 4. Access to wild fish | 7 |
| 5. Escapes or releases | 7 |
| 6. Incidental catch | 7 |
| 7. Predator control | 7 |
| 8. Megafauna interactions | 7 |
| 9. Protection of fish and fish habitat | 8 |
| 10. Machinery operations | 9 |
| 11. Gear and equipment identification | 9 |
| 12. Harvesting and handling | 10 |
| 13. Measures to prevent the spread of aquatic invasive species | 11 |
| 14. On-board waste containment | 11 |
| 15. Records | 11 |
| 16. Annual Aquaculture Statistical Report | 13 |
| 17. Administrative matters | 13 |
| <u>PART C. Additional conditions by species or activity</u> | 14 |
| 1. General culture of bivalve species | 14 |
| 2. General culture of Sea Urchin/Sea Cucumber | 15 |
| 3. General culture of Geoduck Clam | 16 |
| <u>PART D. Information and requirements for shellfish aquaculture licence holder</u> | 19 |
| Appendix I: Elements of a shellfish aquaculture facility management plan | 19 |
| Appendix II: Introductions and transfers | 20 |
| Appendix III: Sea lion exclusion devices | 22 |
| Appendix IV: Megafauna incident report form | 23 |
| Appendix V: Seafloor inspection and clean-up protocol | 25 |
| Appendix VI: Equipment or gear identification | 26 |
| Appendix VII: Annual Aquaculture Statistical Report (AASR) | 27 |
| Appendix VIII: Aquaculture Harvest Notification Form for Geoduck Clam, Sea Urchin or Sea Cucumber | 28 |

SHELLFISH AQUACULTURE CONDITIONS OF LICENCE

PART A. Definitions

“Acoustic deterrent device” means a device that is used underwater and is intended to generate an aversive response in marine mammals and could cause harm, which includes but is not limited to: explosives, incendiary devices, and electronic sound recordings.

“Approved area” refers to the sanitary water classification of a shellfish growing area which has been approved by the shellfish control authority for growing or harvesting shellfish for direct consumption.

“Aquaculture activities” includes the seeding, cultivation and harvesting of fish, the operation of machinery including vehicles and vessels, the installation of structures and anchors and the maintenance and storage of machinery, structures and equipment, or any other activities conducted in relation to the licensed facility.

“Aquatic invasive species” means species identified in Part 2 and Part 3 of the *Aquatic Invasive Species Regulations Schedule*: <https://laws-lois.justice.gc.ca/eng/regulations/sor-2015-121/FullText.html>.

“Bivalve shellfish” means a bivalve mollusc of the class Bivalvia or any product that is derived from one of those molluscs.

“Broodstock” means fish used for the purpose of spawning or generating gametes.

“Chart datum” means the reference point used to measure water depths and heights on nautical charts, typically set at the lowest normal tide level.

“Container” means any sack, tray, bag, tote, or other type of material containing shellfish.

“Cultivate (cultivation)” means growing shellfish at any life stage within a growing area, and includes human intervention in the rearing process to enhance production through methods such as but not limited to regular stocking, feeding, or protection from predators.

“Culture type” refers to methods of culture occurring in intertidal, deepwater suspended, subtidal, and floating surface areas.

“Debris” refers to any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, enters into the marine environment.

“Deepwater suspended culture” means the activities that involve suspending growing shellfish or co-culture of aquatic plants within the water column, off the bottom of the body of water usually using longlines or rafts, often with infrastructure or containers suspended underneath.

“Depuration” is the process of using a controlled, aquatic environment in a depuration establishment to reduce the level of microbiological contamination in live shellfish.

“DFO” or “Department” means Fisheries and Oceans Canada.

“DFO approved tag supplier” is an organization that has current DFO approval to manufacture and/or supply gear identification tags to a licence holder.

“Equipment” is any kind of device, machinery, infrastructure or gear used as part of a licensed aquaculture facility, including but not limited to rafts, work floats, trays and nets.

“Floating surface culture” means the culture activities that involve growing shellfish or aquatic plants at or near the surface of the water but does not include infrastructure suspended in the water column.

“Foam” means a compound made up of plastic polymers with insulating or floatation properties. Includes, but is not limited to, styrene, extruded polystyrene and expanded polystyrene.

“Gear identification tag” means a DFO approved tag or similar DFO approved device affixed to equipment.

“Growing waters” means waters in which shellfish can grow.

“Harvest” means the removal of shellfish from the substrate, equipment or structure where they are being cultivated.

“Important and sensitive habitat” refers to any fish habitat, vital to the life processes of marine species which are vulnerable to harmful disturbance by aquaculture or other human activities and which may be slow to recover if harmed. Important and sensitive habitat includes but is not limited to: intertidal stream channels, eelgrass beds (*Zostera* sp.), fish spawning areas, salmonid bearing streams, salt marshes, rocky reefs, kelp beds, glass sponge (*Hexactinellidae*) and/or coral complexes, and the residences and habitats critical for Species at Risk Act listed species.

“Importation” means bringing shellfish into British Columbia from another province or country.

“Incidental catch” for the purposes of marine shellfish aquaculture means fish species that:

- (a) are not specifically named on the face of the aquaculture licence; and
- (b) set naturally, move into the infrastructure of the operation, or become entrapped or entangled on aquaculture structures with the licensed species.

“Intertidal” describes the area located between high tide and chart datum.

“Intertidal stream channel” means a channel of water that flows in the transition zones between salt and freshwater and includes channels that only have seasonal flow.

“Introductions and Transfers licence” means the licence granted under the authority of the *Fishery (General) Regulations*, Section 56, for the Introduction and Transfer of fish.

“Licensed facility” means the area within which aquaculture activities, that are authorized by the aquaculture licence, may occur.

“Marine mammal” means cetaceans (e.g. whales, dolphins, porpoises), pinnipeds (e.g. seals and sea lions), river otters or sea otters.

“Megafauna” means marine mammals, turtles and sharks.

“Pacific Fishery Management Area” (PFMA) means areas described in the *Pacific Fishery Management Area Regulations* and available at: <http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/areas-secteurs/index-eng.htm>.

“Predator” means an animal that naturally preys on cultivated species.

“Prohibited area” means the classification of a shellfish growing area determined by the shellfish control authority where shellfish harvesting for food purposes is not permitted.

“Refuse” means garbage, abandoned, lost, or discarded materials, substances or objects.

“Relay” is the transfer of shellfish from marginally contaminated areas to Approved areas for natural biological cleansing using the ambient environment.

“Salmonid bearing stream” means a river, creek, stream or other flowing freshwater waterbody which supports one or more life processes of any Pacific salmon, steelhead, or trout species.

“Secondary containment” means a containment system, other than the primary containment system, installed around all deleterious storage containers to collect and contain a leak, spill or overfill from the container, or from any tank, connections, vents or pressure relief devices used with the container. A secondary containment is not intended for long term or permanent storage of product spills or leakage.

“Seed” means a submarket size bivalve shellfish requiring a minimum of six (6) months (12 months if the source waters have been identified as having a risk of chemical contaminants, as determined by Environment and Climate Change Canada) to reach market size under normal growing conditions, and where authorized, has been gathered directly from the wild or grown in a hatchery.

“Shellfish aquaculture facility management plan” means a facility management plan or an approved harmonized Pacific Shellfish Aquaculture Application and may form a part of the conditions of licence.

“Structure” means anything built or modified that is used as part of an aquaculture operation including but not limited to walls, fences, rafts, line arrays, and anchors.

“Spat” means a bivalve mollusc in the larval stage, including when settled to the bottom or settled on a structure.

“Subtidal” describes the area of the sea floor below chart datum.

“Toxic” refers to the definition of “toxic substances” under the Canadian Environmental Protection Act, 1999, section 64.

“Transfer” means the movement of live fish to or from a licensed facility or hatchery for the purpose of cultivation, as authorized by this licence, or a licence issued under Section 56 of the *Fishery (General) Regulations*, as applicable.

“Transport water” means all water exposed to shellfish, shellfish products, debris, and potential additional marine animal or plant life during the collection and transport of shellfish.

“Water classification” means the bacteriological water quality designation assigned to a shellfish harvest area, which indicates the suitability of the area for harvesting shellfish, according to accepted water quality standards and general sanitary conditions in the shellfish harvest area.

“Wet storage” means the temporary storage of live harvested bivalve shellfish sourced from approved licensed wild commercial fisheries, or from licensed aquaculture facilities other than the approved receiving aquaculture facility.

PART B. General licence conditions

1. Facility management plan

- 1.1 The licence holder shall have an approved shellfish aquaculture facility management plan containing the elements described in Appendix I and must adhere to this plan.
- 1.2 A submission for changes to an approved shellfish aquaculture facility management plan shall be made in the form of a harmonized Provincial/Federal Pacific Shellfish Aquaculture Application (available from FrontCounter BC) when the submission is for a change in, the addition of, or the removal of:
 - (a) species;
 - (b) licensed facility size;
 - (c) infrastructure installed in 10 metres or less bathymetry (depth);
 - (d) intertidal long lines;
 - (e) floating living accommodation;
 - (f) infrastructure related to bivalve predator control or exclusion; or
 - (g) culture type.
- 1.3 Changes to the facility management plan must be approved by DFO prior to any changes being implemented.

2. Facility installation and maintenance

- 2.1 The licence holder shall ensure all of the equipment, infrastructure, and anchoring systems within the licensed facility are:
 - (a) continuously maintained in good working condition; and
 - (b) functioning as intended in support of aquaculture activities, in the environment where they are located.
- 2.2 Upon request from a fishery officer or fishery guardian, the licence holder shall:
 - (a) attend the licensed facility, without delay, and conduct an assessment to verify the facility is in good working condition; and
 - (b) provide a report outlining the results of the assessment to the officer or guardian within the timeframe indicated by the officer or guardian.

3. Transfer of fish

- 3.1 The licence holder must possess a valid Introductions and Transfers licence issued pursuant to Section 56 of the *Fishery (General) Regulations*, unless transfers are approved under the conditions in Part B Section 3.2 of this licence. For greater certainty, where the licence holder meets the conditions in Part B Section 3.2 of this licence for a transfer of live shellfish into their facility, the licence holder does not need to apply for an Introductions and Transfers licence.
- 3.2 The licence holder may transfer live seed, spat, juvenile or adult bivalve shellfish to the licensed facility from another facility possessing a valid aquaculture licence provided that:
 - (a) the species of live shellfish to be transferred are listed under the "Species" section on the face of this licence;

- (b) the shellfish are transferred only inside the shellfish transfer zone within which they are licensed (see Appendix II), with the following exceptions:
- (i) if the facility is located in Zone 1, any transfer of shellfish requires a valid Introductions and Transfers licence;
 - (ii) Manila Clam: The licence holder may transfer live Manila Clam seed, spat, juveniles, adults or broodstock to the licensed facility from another facility possessing a valid aquaculture licence provided that the transfer is occurring within the following transfer zones (Appendix II):
 - i. within and between Zones 2, 3, and 4; or
 - ii. from any Zone to Zone 5; or
 - iii. from Zone 5 to any Zone with a valid Introductions and Transfers licence.
 - (iii) Pacific Oyster: The licence holder may transfer live Pacific Oyster seed, spat, juveniles, adults or broodstock to the licensed facility from another facility possessing a valid aquaculture licence provided that the transfer is occurring within the following transfer zones (see Appendix II):
 - i. within the same Zone, excluding transfers within Zone 1; or
 - ii. from Zone 1 to Zone 2; or
 - iii. between Zones 3 & 4; or
 - iv. from Zones 3 & 4 to Zone 5; or
 - v. from Zone 5 to any Zone with a valid Introductions and Transfers licence.
- (c) wild adult Pacific Oyster, obtained via lawful commercial shellfish harvest, may be transferred to licensed facilities for cultivation without a separate Introductions and Transfers licence provided that the transfer is occurring within the following transfer zones (see Appendix II):
- (i) within the same Zone, excluding transfers within Zone 1; or
 - (ii) from Zone 1 to Zone 2; or
 - (iii) between Zones 3 & 4; or
 - (iv) from Zones 3 & 4 to Zone 5.
- (d) wild adult Manila Clam, wild adult Littleneck Clam, and wild adult Pacific Oyster obtained via lawful commercial shellfish harvest may be transferred to licensed facilities for wet storage only, without a separate Introductions and Transfers licence, provided the licence holder is authorized for wet storage under the authority of this licence, and provided that the transfer is occurring within the following transfer zones (Appendix II):
- (i) within and between Zones 2, 3, and 4; or
 - (ii) from any Zone to Zone 5.
- (e) this licence does not allow for the transfer of Geoduck Clam, Horse Clam, Sea Cucumber, Sea Urchin or Varnish Clam;
- (f) the shellfish at the licensed facility do not display any observable symptoms of disease;
- (g) while in transit to or from licensed facilities, the shellfish and transport water must not enter or come into contact with any growing waters; and

- (h) harvested bivalve shellfish must not enter or come into contact with any growing waters while in transit from a licensed aquaculture facility to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.
- 3.3 A copy of this licence shall accompany all movements of shellfish to and from a licensed facility, and it shall be available for inspection by a fishery officer or fishery guardian.

4. Access to wild fish

- 4.1 The licence holder may collect wild spat of the licensed species on the licensed facility.
- 4.2 The licence holder may:
 - (a) retain wild shellfish of a licensed species on the licensed facility when that species is harvested along with the same cultivated licensed species;
 - (b) retain Horse Clam when that species is harvested along with Geoduck Clam; and
 - (c) retain Varnish Clam harvested as incidental catch.

5. Escapes or releases

- 5.1 The licence holder shall take all reasonable precautions to prevent the escape or release of cultivated fish while:
 - (a) transporting fish on, over or through fresh or tidal waters; and
 - (b) transporting fish to or from the licensed facility.

6. Incidental catch

- 6.1 Unless retention is authorized under Part B Section 4.2 of this licence, every person who catches a fish incidentally must immediately return it to the water in a manner that causes it the least harm.

7. Predator control

- 7.1 The licence holder shall ensure that equipment, gear, netting, or other devices used for predator exclusion:
 - (a) are installed and maintained to prevent entrapment, injury, or death to fish or marine mammals; and
 - (b) function as intended.
- 7.2 The licence holder shall ensure all intertidal and subtidal netting used for the purpose of predator exclusion is inspected and maintained to ensure the netting is:
 - (a) tightly secured around its perimeter and forming a tight seal to the substrate;
 - (b) not buried or infilled with sediment or other material, any more than needed to ensure the proper securing of the perimeter edges to the substrate; and
 - (c) removed from the facility when not in use for active predator control.

8. Megafauna interactions

- 8.1 In accordance with Appendix III, the licence holder shall:
 - (a) install sea lion exclusion devices on equipment such as rafts and/or work floats when one or more sea lions hauls out onto that equipment; and

- (b) maintain sea lion exclusion devices until no more sea lions are interacting with the equipment or within the licensed facility.
- 8.2 The licence holder is prohibited from using acoustic deterrent devices.
- 8.3 Upon discovery of a live entangled or dead megafauna, not including Pacific Spiny Dogfish:
 - (a) the licence holder shall immediately report the event to the DFO Observe, Record and Report (ORR) line, by emailing DFO.ORR-ONS.MPO@dfo-mpo.gc.ca, calling 1-800-465-4336, or contacting the Canadian Coast Guard via VHF channel 16. The report will include the facility's identification, location, species involved, details of the situation, and call-back information; and
 - (b) within seven (7) days of the incident, a written report shall be submitted to DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca. A report shall be filed even if the animal is released alive. The report shall include as much information as available at the time of the incident as specified in Appendix IV.

9. Protection of fish and fish habitat

- 9.1 The licence holder shall:
 - (a) not use or install floatation made from, or containing, foam except when the foam is fully encased in a rigid, durable, non-toxic shell; and
 - (b) ensure any floatation material that is degrading, including exposed or inadequately contained foam, is immediately removed from the marine environment and disposed of or recycled appropriately.
- 9.2 The licence holder shall ensure that operations and activities conducted on the licensed facility do not result in the deposition of shell material within important and sensitive habitat.
- 9.3 The licence holder shall not install intertidal infrastructure on top of, or over, bivalve predator exclusion netting.
- 9.4 The licence holder shall not introduce or cause or allow the introduction of refuse (including but not limited to infrastructure, equipment and materials) into the environment in the course of conducting aquaculture activities.
- 9.5 The licence holder shall not store or leave any equipment or structures on the licensed facility unless the equipment or structures are secured so as not to move off the licensed facility, with appropriate consideration to the tidal and adverse weather locations to which the site may be subjected.
- 9.6 The licence holder shall not use rafts or work floats for storage, unless they are equipped with walls or other containment measures that prevent all stored gear from shifting, moving, or being lost into the marine environment.
- 9.7 The licence holder shall take all reasonable measures consistent with public safety and with the conservation and protection of fish and fish habitat to expediently retrieve lost or errant gear or equipment.
- 9.8 If reinforcing metal bar (rebar) is used to secure gear or equipment to the substrate it shall:
 - (a) have a curved, bent, or shepherd hook on the exposed portion; and
 - (b) not be installed or affixed to the substrate by the use of hardening or bonding substances, such as concrete.

- 9.9 All deepwater or subtidal licence holders shall conduct a seafloor inspection of the entire licensed facility annually prior to April 30 and in accordance with Appendix V, unless written authorization is provided from a DFO fishery officer or fishery guardian.
- 9.10 For all seafloor inspections, the licence holder shall:
- (a) identify and retrieve debris, refuse, equipment, or gear which is lost to the seafloor or otherwise not functioning as intended;
 - (b) maintain records as outlined in Appendix V for a period of six (6) years;
 - (c) produce records upon request of a fishery officer or fishery guardian, and provide these in the timeframe indicated by the officer or guardian; and
 - (d) dispose of, or recycle all debris, broken or unusable equipment in a lawful manner.
- 9.11 The licence holder shall ensure concrete anchors or blocks are cast and cured away from the marine environment prior to installation.
- 9.12 The licence holder shall not install equipment or gear, nor conduct activities, within important and sensitive habitat.
- 9.13 By May 1, 2027, licence holders shall not have intertidal equipment located within 50 metres of the nearest edge of an intertidal stream channel, including braided and seasonally flowing stream channels, which flow from, or connect to, a salmonid bearing stream.
- 9.14 In the event that important and sensitive habitat grows or otherwise moves into an actively cultivated area containing existing equipment or gear, the licence holder shall take all reasonable steps to avoid the harmful alteration, disruption, or destruction of that habitat.
- 9.15 The licence holder shall ensure that all deleterious substances are properly secured, stored, and adequately contained within secondary containment.
- 9.16 The licence holder shall not conduct aquaculture activities that disturb Pacific herring spawn through to the hatching of all viable herring eggs.

10. Machinery operations

- 10.1 The licence holder shall:
- (a) ensure all machinery used on the licensed facility is in clean condition and maintained free of fluid leaks; and
 - (b) take immediate action to stop, contain, and clean up any spill of fuel, lubricants or other substances that may be deleterious to fish or otherwise may cause adverse effects to the environment. All such spills shall be reported to the Canadian Coast Guard at 1-800-889-8852 or via VHF Channel 16.

11. Gear and equipment identification

- 11.1 The licence holder shall ensure all gear and equipment listed in Appendix VI be identified in a manner that is:
- (a) legible, block letters without ornamentation, durable, long lasting and waterproof; and
 - (b) branded or otherwise imprinted with identification. If the nature of the gear or equipment makes this impossible the licence holder shall use a gear identification tag; and
 - (c) maintained to ensure legibility.

- 11.2 Starting May 1, 2030, and for the remainder of the term of this licence, the licence holder shall ensure all plastic tube or pipe, including polyvinyl chloride (PVC), is identified as outlined in Section 11.
- 11.3 Identification shall include:
- (a) licence holder name; and
 - (b) DFO Facility Reference number or BC Land File number.
- 11.4 All netting stored or in use at a facility shall be identified with a minimum of:
- (a) one (1) gear identification tag when the length of netting is less than 12 metres; or
 - (b) two (2) gear identification tags when the length of netting is 12 metres or greater.
- 11.5 Unless otherwise authorized by DFO in an approved equipment identification plan as part of this licence, any identification on gear or equipment transferred between facilities shall:
- (a) be updated to reflect the current licence holder name, and the current BC Land File number or current DFO Facility Reference number; and
 - (b) only have the current licence holder and current facility information visible.
- 11.6 Gear identification tags shall be pre-approved by DFO and only supplied to licence holders by an approved manufacturer; or by an approved aquaculture industry association as outlined in Appendix VI.

12. Harvesting and handling

- 12.1 In respect of tagging containers of shellfish:
- (a) Prior to leaving the licensed facility, all containers holding harvested shellfish that are destined for market sale shall be marked with a visible tag identifying the following:
 - (i) licence holder name;
 - (ii) species;
 - (iii) Pacific Fishery Management Area;
 - (iv) BC Land File number or DFO Facility Reference number; and
 - (v) date of harvest.
 - (b) Tags shall be waterproof and all information shall be written in water resistant ink and legible.
 - (c) The licence holder shall not use flagging tape as a tag, unless as part of a tagging plan that is authorized by DFO, as part of this licence.
 - (d) Tags shall not be removed from any container until the product enters a relay system that is approved under the *Management of Contaminated Fisheries Regulations* and is identified in an approved decontamination plan, or the harvested shellfish are landed at a facility licensed by the Canadian Food Inspection Agency with the appropriate processing permission.
 - (e) For the purpose of bulk tagging of shellfish destined for market sale, the licence holder shall not bulk tag harvested shellfish destined for market sale, unless as part of a tagging plan that is authorized by DFO, as part of this licence.

- 12.2 For the purposes of wet storage of market-sized bivalves, the licence holder shall not wet-store harvested shellfish on this licensed facility, originating from wild commercial harvest, or aquaculture facilities other than the licensed facility unless authorized by DFO as part of this licence.

13. Measures to prevent the spread of aquatic invasive species

- 13.1 The licence holder shall not import, transport, release or cause the introduction of an aquatic invasive species beyond waters where it is currently found.
- 13.2 In all Pacific Fishery Management Areas, the licence holder shall:
- (a) thoroughly examine harvested shellfish for signs of aquatic invasive species prior to removing harvested product from the licensed facility; and
 - (b) thoroughly examine equipment for signs of aquatic invasive species prior to being removed from the licensed facility; and
 - (c) remove and destroy any aquatic invasive species discovered on harvested shellfish and/or equipment.
- 13.3 All containers within the licensed facility used for transport of harvested shellfish must be maintained in such a manner that no aquatic invasive species may escape into marine waters.
- 13.4 In Pacific Fishery Management Subareas 20-6 and 20-7 and from Pacific Fishery Management Areas 23 to 27, the licence holder must:
- (a) rinse harvested shellfish using waters from the licensed facility prior to being removed from the harvest area;
 - (b) rinse and dry equipment using waters from the licensed facility prior to being removed from the harvest area; and
 - (c) rinse all containers using water from the licensed facility and all water, including transport water, must be disposed of in a manner that ensures aquatic invasive species do not re-enter marine waters.

14. On-board waste containment

- 14.1 All vessels within the licensed facility shall be equipped with a designated human waste containment receptacle on board. Receptacles could include a portable toilet, a fixed toilet, or other containment device as appropriate. Such devices must be made of impervious, cleanable materials and have a tight fitting lid.
- 14.2 Designated human waste containment receptacles shall be used only for the purpose intended, and shall be so secured and located as to prevent contamination of the shellfish area, or any harvested shellfish on board by spillage or leakage.
- 14.3 Designated human waste containment receptacles shall be emptied only into an approved sewage disposal system, and portable toilets or other designated human waste receptacles shall be cleaned before being returned to the vessel.

15. Records

- 15.1 The licence holder shall maintain complete and accurate written or electronic records relating to the licensed aquaculture activities throughout the species growing cycle, and for six (6) years. The records shall:
- (a) contain the elements listed in Section 15.2, 15.3 and 15.4; and

- (b) be submitted to DFO in an electronic and sortable format within 24 hours upon request of a fishery officer or a fishery guardian.
- 15.2 The licence holder shall record, by 11:59pm on the day of the conclusion of activity, for each individual licensed facility:
- (a) the importation of shellfish or transfer of shellfish to the licensed facility;
 - (b) the transfer of shellfish from the licensed facility;
 - (c) harvest for market sale for that day; and
 - (d) the transfer of harvested shellfish from other locations for wet storage or relay at the licensed facility, prior to market sale.
- 15.3 For each activity listed in Section 15.2, the licence holder shall record:
- (a) BC Land File number, or DFO Facility Reference numbers, or groups of BC Land File numbers or DFO Facility Reference numbers associated with the licence holder for licensed facilities in the same Pacific Fishery Management Area;
 - (b) activity date;
 - (c) species common name;
 - (d) the nature of the activity (i.e. Activity code (D - Depuration); (H - Harvest for market sale); (HR – Harvest of relayed product for market sale); (HW – Harvest of stored product from a facility authorized for wet storage for market sale); (IP - Importation); (O – Other (please describe in comments)); (R – Relay to facility licensed under the *Management of Contaminated Fisheries Regulations*); (RS – Relay of seed); (TS - Transfer); (W- Wet storage));
 - (e) number of containers;
 - (f) container type;
 - (g) source of shellfish arriving at the licensed facility (source BC Land File number or DFO Facility Reference number, or other); water classification of source of shellfish arriving at the licensed facility; destination of shellfish leaving the licensed facility including:
 - (i) culture type at source facility (i.e. intertidal culture, deepwater suspended culture, subtidal culture or floating surface culture);
 - (ii) destination facility BC Land File number or DFO Facility Reference number for transfers of product; or
 - (iii) name of the facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission, if product is harvested for market sale.
- 15.4 Within fourteen days of the product being accepted by a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission, the licence holder shall record:
- (a) date product accepted by a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission (must be completed even if product wet stored at another licensed aquaculture facility that is approved for wet storage); and
 - (b) total weight, OR number of dozens, OR number of individuals of harvested product accepted by a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission. The unit of measure reported must match what is reported in the Annual Aquaculture Statistical Report.

- 15.5 All transfers of shellfish that are leaving the licensed facility for grow-out at another destination, (at a licensed facility held by another licence holder, or in a different Pacific Fishery Management Area), shall be accompanied by a record of the date, source, destination, species and amount of shellfish in transit.

16. Annual Aquaculture Statistical Report

- 16.1 On January 25th of each year, the licence holder must complete and submit to DFO a complete and accurate Annual Aquaculture Statistical Report containing the elements outlined in Appendix VII for the previous calendar year.
- 16.2 If no sales or production has occurred, a zero sum Annual Aquaculture Statistical Report must still be submitted, as per condition 16.1.

17. Administrative matters

- 17.1 Unless otherwise noted in specific licence conditions, all reports and submissions required by this licence shall be submitted by email to: DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca.

PART C. Additional conditions by species or activity

1. General culture of bivalve species

In addition to conditions in Part A and Part B of this licence, the following conditions are applicable, if licensed for any of the following species:

| | |
|--------------------------|--|
| American/Eastern Oyster | <i>Crassostrea virginica</i> |
| Butter Clam | <i>Saxidomus gigantea</i> |
| Eastern Blue Mussel | <i>Mytilus edulis</i> |
| European Oyster | <i>Ostrea edulis</i> |
| Gallo Mussel | <i>Mytilus galloprovincialis</i> |
| Geoduck Clam | <i>Panopea generosa</i> |
| Giant Rock Scallop | <i>Crassadoma gigantean</i> |
| Horse Clam | <i>Tresus capax</i> |
| Japanese Scallop | <i>Mizuhopecten yessoensis</i> |
| Kumamoto Oyster | <i>Crassostrea sikamea</i> |
| Littleneck Clam | <i>Protothaca staminea</i> |
| Manila Clam | <i>Venerupis philippinarum</i> |
| Nuttall's Cockle | <i>Clinocardium nuttallii</i> |
| Pacific Oyster | <i>Crassostrea gigas</i> |
| Pacific Scallop (Hybrid) | <i>M. yessoensis x Patinopecten caurinus</i> |
| Pink Scallop | <i>Chlamys rubida</i> |
| Spiny Scallop | <i>Chlamys hastata</i> |
| Weathervane Scallop | <i>Patinopecten caurinus</i> |
| Western Blue Mussel | <i>Mytilus trossulus</i> |

- 1.1 The licence holder shall ensure that:
 - (a) all harvested bivalves are only sold to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission prior to sale for human consumption; or
 - (b) the possession of all bivalves is transferred only to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission prior to sale for human consumption.
- 1.2 The licence holder shall not provide or sell harvested bivalves to a shellfish buyer, or receiver, prior to the harvested bivalves being landed or sold to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.
- 1.3 No licence holder shall cultivate, store, or harvest shellfish within 125 metres of any floating living accommodation or within any other Prohibited area, unless in possession of a valid *Management of Contaminated Fisheries Regulations* licence to allow for the eventual harvest of seed from a Prohibited area.

- 1.4 If an approved Zero Discharge Waste Management Plan is in place that reduces the Prohibited area to 25 metres, no licence holder shall cultivate, store or harvest shellfish within 25 metres of any floating living accommodation, unless in possession of a valid *Management of Contaminated Fisheries Regulations* licence to allow for the eventual harvest of seed from a Prohibited area.
- 1.5 No licence holder shall cultivate, store or harvest bivalves within 125 metres of any finfish net pen unless an approved Integrated Multi-Trophic Aquaculture Management Plan is in place that specifies the Prohibited area.
- 1.6 Any bivalve seed transferred to a licensed facility from a licensed facility having a Prohibited area classification shall remain in growing waters with an Approved area classification for a minimum of 12 months prior to harvest, except as authorized under the *Management of Contaminated Fisheries Regulations*.

2. General culture of Sea Urchin/Sea Cucumber

- 2.1 In addition to conditions in Part B of this licence, the following conditions are applicable if licensed for any of the following species:
 - (a) Sea Urchin:

| | |
|--------|--|
| Red | <i>Strongylocentrotus franciscanus</i> |
| Green | <i>S. droebachiensis</i> |
| Purple | <i>S. purpuratus</i> |
 - (b) California Sea Cucumber *Parastichopus californicus*
- 2.2 Harvest plan:
 - (a) Not less than 120 days prior to the first intended harvest at the licensed area, the licence holder shall submit a written harvest plan to DFO for approval.
 - (b) The harvest plan shall contain:
 - (i) a summary of Sea Cucumber or Sea Urchin seeding or husbandry activities that have taken place, including the location of seeding;
 - (ii) the projected harvest dates; and
 - (iii) anticipated harvest amount for the current year.
 - (c) The licence holder shall not harvest any Sea Urchin or Sea Cucumber unless as part of a harvest plan that is approved by DFO, as part of this licence.
 - (d) The licence holder shall follow and comply with the harvest plan approved by DFO at all times and have it available for inspection upon the request of a fishery officer or fishery guardian.
- 2.3 Harvest notification:
 - (a) The licence holder shall notify the DFO Radio Room (DFO.ORR-ONS.MPO@dfo-mpo.gc.ca) and Aquaculture Management (DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca) by electronic mail no less than 72 hours prior to any Sea Cucumber or Sea Urchin harvest, using a completed Aquaculture Harvest Notification Form (Appendix VIII).
 - (b) The licence holder shall submit an amended Aquaculture Harvest Notification Form (Appendix VIII) if harvest plans change.

2.4 Landing reports:

- (a) The licence holder shall complete an approved Sea Cucumber/Sea Urchin aquaculture landing logbook form for each shipment landed.
- (b) The Sea Cucumber/Sea Urchin aquaculture landing logbook form shall contain the following:
 - (i) licence holder name;
 - (ii) BC Land File number or DFO Facility Reference number;
 - (iii) aquaculture facility location;
 - (iv) Pacific Fishery Management Area and Subarea;
 - (v) harvest date;
 - (vi) vessel name, Vessel Registration Number (VRN), landing location and vessel operator for deepwater facilities or beach supervisor name for intertidal facilities;
 - (vii) number of Sea Cucumber/Sea Urchin landed;
 - (viii) gross weight landed (including containers and liners);
 - (ix) net weight landed;
 - (x) trucking company details;
 - (xi) final destination; and
 - (xii) the signed declaration.
- (c) The licence holder shall email a copy of each days landing logbook form(s) to DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca no later than 24 hours following product landing.

3. General culture of Geoduck Clam

- 3.1 In addition to conditions in Part B, and Part C Section 1 of this licence, where applicable for the species, the following conditions apply if licensed for:
 - (a) Geoduck Clam *Panopea generosa*
- 3.2 Harvest plan:
 - (a) Not less than 120 days prior to the first intended harvest at the licensed facility, the licence holder shall submit a written harvest plan to DFO for approval.
 - (b) The harvest plan shall contain:
 - (i) a summary of Geoduck Clam seeding and husbandry activities that have taken place, including the location of seeding;
 - (ii) the projected harvest dates;
 - (iii) anticipated harvest amount for the current year; and
 - (iv) anticipated size of individuals to be harvested.
 - (c) The licence holder shall not harvest any Geoduck Clam unless as part of a harvest plan that is approved by DFO, as part of this licence.

- (d) The licence holder shall follow and comply with the harvest plan approved by DFO at all times and have it available for inspection upon the request of a fishery officer or fishery guardian.

3.3 Harvest notification:

- (a) The licence holder shall notify the DFO Radio Room (DFO.ORR-ONS.MPO@dfo-mpo.gc.ca) and Aquaculture Management (DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca) by electronic mail no less than 72 hours prior to any Geoduck Clam harvest, using a completed Aquaculture Harvest Notification Form (Appendix VIII).
- (b) The licence holder shall submit an amended Aquaculture Harvest Notification Form (Appendix VIII) if harvest plans change.

3.4 Harvest container tags:

- (a) The licence holder shall attach a completed site specific tag to each container of harvested Geoduck Clam on the vessel or beach where harvested. No container shall be left untagged on the licensed facility or during transport.
- (b) The container tags shall be waterproof and provide the following information written in water resistant ink:
 - (i) licence holder name;
 - (ii) DFO Facility Reference number;
 - (iii) BC Land File number;
 - (iv) aquaculture facility location;
 - (v) Pacific Fishery Management Area and Subarea;
 - (vi) harvester name;
 - (vii) harvest date;
 - (viii) the words “Aquaculture” and the common name of the shellfish harvested “Geoduck Clam”; and
 - (ix) tags are to be visible and remain in the containers of harvested Geoduck Clam until delivered to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.

3.5 Landing reports:

- (a) The licence holder shall complete an approved Geoduck Clam aquaculture landing logbook form for each shipment landed. A copy of the completed landing log must accompany each shipment of harvested Geoduck Clam from the licensed aquaculture facility to a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.
- (b) The Geoduck Clam aquaculture landing logbook form shall contain:
 - (i) licence holder name;
 - (ii) DFO Facility Reference number;
 - (iii) aquaculture facility location;
 - (iv) BC Land File number;
 - (v) Pacific Fishery Management Area and Subarea;
 - (vi) harvest date;

- (vii) vessel name, Vessel Registration Number (VRN), landing location and vessel operator for deepwater facilities or beach supervisor name for intertidal facilities;
 - (viii) number of Geoduck Clam landed;
 - (ix) gross weight landed (including containers and liners);
 - (x) net weight landed;
 - (xi) trucking company details;
 - (xii) facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission; and,
 - (xiii) the signed declaration.
- (c) The licence holder shall email a copy of each days landing logbook form(s) to DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca no later than 24 hours following product landing.

PART D. Information and requirements for shellfish aquaculture licence holder

Appendix I: Elements of a shellfish aquaculture facility management plan

Information provided as part of the shellfish aquaculture facility management plan (the management plan for the licensed facility) will, at a minimum, include the following elements:

- licence holder(s) and contact information
- location and legal description of the licensed facility, including map(s)
- culture species
- culture type(s) conducted at the licensed facility (i.e. intertidal culture, subtidal culture, floating surface culture, deepwater suspended culture)
- culture equipment, gear and physical structures details including rafts, longlines, predator nets, etc. and the amount and placement of equipment, gear and structures
- licence facility layout, orientation of structures, boundary marking where applicable, as outlined in the Harmonized Provincial/Federal Pacific Aquaculture Application

The Harmonized Provincial/Federal Pacific Aquaculture Application and associated guidebook may be obtained from the Province of BC website: <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/crown-land/crown-land-uses/aquaculture>

From FrontCounter BC by the following means:

In Person: Any FrontCounter BC office

Visit <http://www.frontcounterbc.gov.bc.ca> for the location nearest you.

By Mail: FrontCounter BC, 2080a Labieux Road, Nanaimo, BC V9T 6J9

By Email: frontcounterbc@gov.bc.ca

A copy of the approved DFO facility management plan on file can be obtained by contacting: DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca.

Appendix II: Introductions and transfers

Shellfish transfer zones in British Columbia

Figure 1 shows the five zones established for shellfish introductions and transfers in BC. These zones are generally delineated based on definable oceanographic and ecographic discrete areas (e.g. oceanic vs. inside waters). Consideration is also given to historical movements of shellfish in the aquaculture and commercial fisheries sectors for trade and commerce.

The terms of the shellfish aquaculture conditions of licence specify the conditions under which licence holders may move shell stock within and between zones.

Only licensed shellfish growers will be free to move stock between licensed shellfish growing facilities ***within the same zone*** under the conditions of their shellfish aquaculture licence as long as the receiving facilities are licensed for the species to be transferred (some exceptions apply).

Additional information and guidance on transfers of shellfish can be found at:

<https://www.dfo-mpo.gc.ca/aquaculture/moving-fish-deplacement-poissons-eng.html>

or by contacting DFO.BCITC-CITCB.MPO@dfo-mpo.gc.ca.

Shellfish Transfer Zones in British Columbia


 Fisheries and Oceans Canada / Pêches et Océans Canada



Figure 1. Map of British Columbia shellfish transfer zones.

Appendix III: Sea lion exclusion devices

Acceptable exclusion devices may include examples in the list below. Devices shall not include any measure which would cause injury or death to a marine mammal. Licence holders shall avoid using construction materials that could easily break apart and become marine debris.

Examples of acceptable exclusion devices:

- electric livestock fencing
- wood fencing
- closely spaced posts
- well secured perimeter netting
- commercially available pinniped exclusion systems utilizing non-lethal, humane, electric pulses

Appendix IV: Megafauna incident report form

The form below must be completed and submitted to DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca within seven (7) days of a reportable megafauna incident. Attach any photos of the animal and occurrence to your emailed report, if possible.

| Company information | Dates | File numbers |
|--------------------------------------|------------------------------|--------------|
| Company Name: _____ | Discovery | ORR #: _____ |
| DFO Facility Reference number: _____ | Date/time: _____/_____/_____ | |
| DFO Facility Name: _____ | | |
| Contact name: _____ | Reported to ORR | |
| Address: _____ | Date/time: _____/_____/_____ | |
| Phone: _____ | | |
| Email: _____ | | |

Specify type of megafauna: _____

| Animal condition | Incident type | System component |
|--|---|---|
| Alive, fresh or advanced or moderate decomposition | Accidental drowning / entanglement (if unknown describe as best possible) | E.g. Predator net, long line, anchor line, other (please specify) |
| | | |

Mitigation measures

| |
|---|
| Describe in detail the mitigation measures in place at this facility to prevent drowning and/or entanglement (these can include equipment and/or procedures). |
| |

Appendix V: Seafloor inspection and clean-up protocol

Seafloor inspection and clean-up must be conducted annually by April 30.

1. The seafloor survey shall:
 - (a) cover the entire seafloor area within the licensed facility boundaries and anywhere else infrastructure related to the facility is installed; and
 - (b) be completed following best practices, using defensible methodology, and considering underwater visibility.
2. The licence holder must complete a detailed report documenting all items identified during the survey and subsequently retrieved. The report shall be submitted upon request by a fishery officer or fishery guardian.
3. The survey and clean-up report must include:
 - (a) DFO Facility Reference number;
 - (b) BC Land File number, if applicable;
 - (c) name and contact information of the individual or company that conducted the survey and clean-up;
 - (d) date of survey and clean-up(s);
 - (e) description of the survey methodology;
 - (f) table or list of items identified in survey; and
 - (g) depiction of the survey and clean-up area using a visual map; which includes transect lines or other accurate representations of the transects conducted, noting the locations of found debris.
4. All debris items identified within the licensed facility must be retrieved.

Example Table:

| Debris or gear | Transect # | # of pieces | Retrieved (Y/N) | Name of disposal facility where debris was taken or reason if not retrieved |
|-----------------------------|------------|-------------|-----------------|--|
| <i>French / PVC Tube</i> | 2 | 38 | Y | <i>Local marine plastic recycling depot</i> |
| <i>Line</i> | 5 | 30m (100ft) | Y | <i>Reused onsite</i> |
| <i>Netting panel</i> | 6,7 | 1 | Y | <i>Local marine plastic recycling depot</i> |
| <i>Oyster Tray / Basket</i> | 8, 9, 10 | 40 | Y | <i>Reused onsite</i> |
| <i>Scallop net</i> | 8 | 18 | Y | <i>Regional landfill</i> |
| <i>Logging metal cable</i> | 8,9 | 20m (~80ft) | N | <i>Historic logging equipment. Too large/heavy for vessel winch/davit. No ability to cut into smaller sections</i> |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

For additional information or guidance on survey maps, please contact: DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca.

Appendix VI: Equipment or gear identification

The following types of equipment or gear must be clearly identified:

1. Plastic containers used for culturing
 - oyster trays and baskets (both sections of two piece gear types, if applicable)
 - pouches, including vexar pouches and floatation pouches
 - mesh or vexar bags used for the growing of shellfish or used in the collection of oyster spat
 - pearl, scallop, lantern nets
2. Types of floatation materials
 - air-filled billets/floats
 - foam filled or encased foam billets/floats
 - plastic buoys
 - round plastic floats
3. Bivalve predator exclusion
 - netting, all forms and types
4. Polyvinyl chloride (PVC) and other types of plastic pipe or tube

Format for identification:

All equipment and gear identified in this appendix shall be clearly labelled with: “Licence Holder Name” followed by the “BC Land File number” or “DFO Facility Reference number”, unless otherwise outlined in a DFO approved equipment identification plan attached to this licence.

Example:

GENERAL SHELLFISH CO LF#555555

GENERAL SHELLFISH CO FACILITY#1111

Licence holders are not eligible to become a DFO approved tag supplier. Aquaculture associations may request approval to become a DFO approved tag supplier by contacting: DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca.

Appendix VII: Annual Aquaculture Statistical Report (AASR)

Submit this report using the most recent structured data template provided by DFO. The following information must be included:

General information

- Reporting year
- Facility Reference number
- Licence holder name
- Facility name

Report details:

- Harvest for food market sales (round, yes/no)
 - Species common name
 - Weight (kg)
 - Quantity (shellfish only)
 - Quantity unit of measure
 - Total value (CDN)
 - Product type
 - Processor information
- In-zone Introductions and Transfers information
 - Movements of shellfish to the facility that are not authorized by an Introductions and Transfers licence
- Subtidal on-bottom shellfish seeding
 - Subtidal shellfish seeding
 - Proof of purchase for Geoduck Clam (*Panopea generosa*)
- Sales for restocking or on-growing? (yes/no)
 - Species common name
 - Life stage
 - Eggs/milt, juveniles/smolts, adults
 - Number sold in BC
 - Number exported
 - Total value (CDN)
- Stock on hand and future plans
 - Operating next year (yes/no)
 - Stock year end (list species)

Appendix VIII: Aquaculture Harvest Notification Form for Geoduck Clam, Sea Urchin or Sea Cucumber

AQUACULTURE HARVEST NOTIFICATION FORM

for Geoduck Clam, Sea Urchin or Sea Cucumber

**This form must be submitted to the DFO contacts noted below
at least 72 hours prior to harvest of any cultivated Geoduck Clam, Sea Urchin or Sea Cucumber.**

Check one: **Geoduck Clam** ☐ **Sea Cucumber** ☐ **Sea Urchin** ☐

Date: _____ Licence Holder: _____

Or if applicable:

Harvester/Vessel Master Name: _____ Cell Ph. _____

DFO Facility Reference number: _____

BC Land File number: _____

Pacific Fishery Management Area (PFMA) and Sub-Area: _____

Location: _____

Designated Vessel Name (DVN) (if applicable): _____

Vessel Registration Number (VRN) or Transport Canada Registration number: _____

Landing Location (public wharf or other): _____

| Scheduled Harvest Date(s) (dd/mm/yyyy) | Product Arrival Date (dd/mm/yyyy) | Destination <i>(Geoduck Clam harvest must specify facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.)</i> |
|--|---|---|
| | | |
| | | |
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| | | |
| | | |

| | | |
|---------------------------------|-------------------|--|
| Offices for Notification | | |
| DFO Radio Room, Vancouver | Email: | DFO.ORR-ONS.MPO@dfo-mpo.gc.ca |
| | Telephone: | 1-800-465-4336 or 604-607-4186 |
| DFO Aquaculture Management | Email: | DFO.AQSF-AQMC.MPO@dfo-mpo.gc.ca |