



AQUACULTURE MANAGEMENT

Fisheries and Oceans Canada (DFO)	
Shellfish Aquaculture Management Advisory Committee (AMAC) Summary Notes	
Meeting Date:	November 2, 2017, 9:00am – 4:00 pm
Location:	Best Western Westerly Hotel and Convention Centre, Courtenay

Participants:

AMAC members:

Aquaculture Industry:

Barry Seeley, Clayoquot Sound Oyster Growers Assoc.
 Keith Reid, Odyssey Shellfish Ltd.
 Daniel Rabu, Haida Seafood Products Ltd.
 Ed Bereziak, Aphrodite’s Garden Oyster Company

Aquaculture Industry Associations:

Darlene Winterburn, BC Shellfish Growers Association (BCSGA)
 Margarite Parker, Aboriginal Aquaculture Association

First Nations: None

Environmental and Conservation Non-Governmental Organizations:

Dan Lisch, Friends of Baynes Sound

Local Government:

Sabrina Frazier, Union of BC Municipalities (north coast)
 William (Bill) Veenhof, Union of BC Municipalities (south coast)

Ex-officio:

Province of British Columbia: Myron Roth, Ministry of Agriculture

DFO: Corey Jackson, A/Director, Aquaculture Management Division
 Brenda McCorquodale, A/Regional Manager, Aquaculture Resource Management
 Adrienne Paylor, Manager, Aquaculture Environmental Operations
 Gabrielle Kosmider, Senior Aquaculture Management Coordinator
 Kirsty Walde, Fishery Officer
 Chris Marrie, Biologist, Aquaculture Environmental Operations
 Amber Neuman, Senior Aquaculture Management Coordinator

Facilitators: Craig Darling, Accord Canada and Saul Milne

Observers: Steve Pocock, Sawmill Bay Shellfish and president of the BCSGA

Regrets: Gordy McLellan, Mac’s Oysters
 Richard Sparrow, First Nations Fisheries Council
 Scott Wallace, David Suzuki Foundation

Materials Distributed:

- Draft agenda
- Draft summary notes from last meeting
- Recommendation and response log
- Presentation slides ‘Engagement on a Potential Aquaculture Act’
- Presentation slides ‘Regulatory Reform: section 56 of the Fishery (General) Regulations’
- Presentation slides for BC’s presentation on the Farm Industry Review Board
- Presentation slides for Conservation and Protection update
- Presentation slides for DFO’s shellfish aquaculture debris strategy
- DFO’s shellfish aquaculture debris strategy

Introductions (Craig Darling):

Craig called the meeting to order and welcomed participants, introducing Saul as co-facilitator.

Review of Meeting Notes and Action Log (Brenda McCorquodale):

Reviewed last meeting notes and the Recommendation and Response log.

Sector Updates:

- **Local Government (Bill Veenhof):**
 - Bill spoke about some frustrations he has heard from shellfish farmers and some opportunities opened up by the possible Aquaculture Act, including viewing aquaculture as a farming activity, and not as a fishery.
 - Noted that fixed tenure periods creates uncertainty. Question about challenges with shellfish farm tenures renewals. Some tenures in Baynes Sound have moved to month-to-month tenure arrangements instead of renewal, as Province of BC told them there is a lack of resources to renew the tenures.
 - Recommends exploring adding aquaculture to the Agriculture Land Reserve program.
 - Recommends aquaculture be put in the Agriculture and Agri-Food Canada portfolio instead of DFO, as it is a farming activity.
 - Recommend that the Province set up a working group to provide more support to the sector. Myron responded that BC's Seafood Secretariat has that role, and contact him for more information.
 - Daniel Rabu suggested that industry be proactive and get First Nations' support for their land use proposals, as proposals with First Nations support are more likely to get the tenure.

- **ENVIRONMENTAL AND CONSERVATION NGO UPDATE (Dan Lisch):**
 - Updated on beach clean-up, saying that debris is also caused by property owners. Dan noted a general concern with interactions with aquaculture and sea lions on rafts at Baynes.

- **INDUSTRY UPDATE (Darlene Winterburn):**
 - Beach clean-up initiative was successful, leading to 60t of debris collected, which was mostly reused or recycled. 140 volunteers. Very different from area to area (Okeover, Baynes, Nootka, Barclay and Clayquot sounds).
 - BCSGA board is now Steve Pocock (president), Brian Yip (VP), Gordy McLellan (treasurer), Dave Richie, Keith Reid, Todd Russell, JP Hastey, Alex Munro and Jim Russell.
 - Seed supply an ongoing issue, and holding a hatchery information meeting next week which will include topic of how to work with Vancouver Island University (VIU).
 - BCSGA met with the BC Minister of Agriculture on assignments of tenures, availability of funds, including aquaculture tenures in the Agriculture Land Reserve and production science.
 - BCSGA continues to address norovirus, and have been included in the Canadian Shellfish Sanitation Program National Vibrio Working Group. Commented that this vibrio season had fewer cases. VIU developing an assay test for vibrio, and have developed vibrio training for shellfish farmers. Also, industry is monitoring ocean acidification via Burk-o-later at Fanny Bay Oysters in Baynes Sound, recording CO₂, salinity and temperature, and has information on saturation level of calcite which enables shell formation. Closer to shore, data is more volatile. This information is helping inform farm management decisions.

- **FIRST NATIONS UPDATE:** None.

Update on Shellfish Aquaculture Industry Advisory Panel's working groups (Darlene Winterburn):

- **TAGGING WORKING GROUP (WG)** is now concluded, and it succeeded in increased industry education on tagging requirements and tracking from the farm to the restaurant level. Next steps may be working with university on study of incidence of contaminated product at processors and cases of food-borne illness related to this.
- **DEBRIS WG** continues following the successful clean ups, and expressed thanks to participants.
- **UNDERUTILIZED SITES WG** is paused while DFO investigates the 100 underutilized sites, using

parameters developed to assess them. BCSGA has drafted a letter to go out to licence holders to encourage utilizing sites more productively. Transfer of ownership process has been clarified in the guide book and with staff. Underutilized sites are defined as sites with no production over the last 3-5 years. BC considering production when renewing tenure agreements.

Director of Aquaculture Management Report (Corey Jackson):

- Corey introduced as the acting Director. He explained that this committee is critical to how DFO manages the sector and to inform policy and plans. He congratulated those who participated in beach clean-up.
- Adrienne gave update on aquaculture environmental operations, including results of an internal review of priorities that identified the debris strategy and social licence issues.
- The approved Integrated Geoduck Management Framework is now in place. Industry asked how long it takes to assess a geoduck aquaculture licence application. DFO responded the service standard 365 days once formally received by DFO.
- A national review of Canadian Shellfish Sanitation Program (CSSP) is underway, including a mapping of classified areas.
- Members expressed concern about the need to ensure compliance that all vessels have onboard black water containment for human waste. Members are concerned about viruses, and recommend looking at larger set-back areas.
- Gabrielle commented that the Pacific Regional Interdepartmental Shellfish Committee (PRISC) Environmental Transmission WG is looking at the many ways that waste enters the water. We are working with our resource management colleagues to bring awareness of vessel discharge to the sectoral meetings and are presenting at the Herring Industry Advisory Board next week. We plan to present to other sectors too, including recreational fisheries, and plan to add language in Integrated Fisheries Management Plans with diagrams to increase compliance.
- Industry committee members are concerned that education will not be effective, and recommend that black water containment be an added regulation under the in wild commercial licence conditions. Gabrielle responded that DFO has looked into adding these restrictions but we do not necessarily have the tools/mandate within DFO for this issue. It is the jurisdiction of Transport Canada.

ACTION: Members and DFO to contact Transport Canada to encourage enforcement of human waste containment regulations on vessels, as it impacts shellfish aquaculture.

National Forward Aquaculture Agenda (Brenda McCorquodale):

- There was a discussion about the DFO introduction and transfer licence and the Canadian Food Inspection Agency's (CFIA's) fish movement requirements. Licences from both agencies are required to import fish.
- The committee advises there be a harmonized process between DFO and the CFIA in reviewing and approving live fish imports for aquaculture, including disease considerations and streamlining the duration of the licences (CFIA import permit is for 3 months where ITC licence is for one year).

Indigenous Aquaculture Engagement Strategy

- National Indigenous Fisheries Institute is conducting a program review of DFO support for Indigenous aquaculture engagement. DFO will seek feedback on what First Nation groups want on the policy development moving forward.
- Advise to develop a strategy that respects needs of each Indigenous group and independent growers
- BC Shellfish Growers' Association asked if they could participate in discussions on advice and priorities for the Indigenous Aquaculture Engagement Strategy.

Fisheries and Aquaculture Clean Technology Adoption Program (FACTAP)

- Funding useful to individual growers to replace aging infrastructure or to become more efficient. Staffing currently underway for a program coordinator. The proponent must fund a minimum of 10%, the province's contribution must be a minimum of 10%, the maximum contribution of DFO is 75%. Myron indicated that BC plans to make funds and in-kind support available for these activities.
- DFO to clarify if associations or studies are eligible for FACTAP.
- Members asked if Transport Canada (TC) and the FLNRO were invited to this meeting. Response: TC was invited. FLNRO not invited as Myron attends AMAC meetings on behalf of FLNRO, and FLNRO attends DFO's

Aquaculture Industry Advisory Panels on his behalf.

- DFO to review invitee list to ensure that TC contact is accurate.

Engagement on the Aquaculture Regulatory Reform

- Options for federal legislative reform for aquaculture including considering a potential Aquaculture Act, and DFO is looking for committee feedback.
- Advised that current regulations does not private property rights, and recommends a new act like the one submitted to DFO from the Canadian Aquaculture Industry Association (CAIA). DFO confirmed that CAIA's submissions are included in the input.
- Initial advice will be provided to the next Canadian Council of Aquaculture Ministers in June 2018.

Leasing and Licensing

- Advised that a new act should apply to all areas of the country equally, as there are different requirements currently in the east and west coasts. Reduce disparities.
- The act should be accompanied with the capacity to enforce it.
- Consider if the new aquaculture act should focus on enabling and constraining for industry.
- Reduce duplicity in regulations (e.g. CFIA, ECCC, Province).
- Aquaculture should be recognized as a farming practice not a fishery.
- Concerns around different regulatory approaches for different species based solely on economic value (e.g. geoduck).
- Indigenous groups across the country are concerned about the authority to co-manage.
- There are gaps in enforcement (e.g. multiple federal and provincial agencies), whose job is it to enforce?
- Industry committee member advised that species like geoduck should not have different regulations due to its economic value and the impact of aquaculture to wild fishery shouldn't be a factor.

Disease/Fish Health

- Species like geoduck should not have different regulations due to its economic value and the impact of aquaculture to wild fishery shouldn't be a factor.
- Scope of disease/fish health needs to be defined:
 - Is this scoped only to finfish?
 - Application to cultivated species or other marine species? Wild/farmed interactions, animals feeding on cultured fish?
 - Human health versus fish disease risks?
 - Does this include depuration/relay/seed transfer considerations?
- Roles and responsibilities of different agencies need to be defined, including those for public health issues (e.g. Norovirus).
- The current requirements around the movement of fish are administratively burdensome. There should be allowances for movement of fish as a farming practice (i.e. licenced hatchery to licenced grow-out could require an annual permit).
- Reduce duplication/streamline (i.e. consider CFIA domestic constraints).

Pollution Prevention and Environmental Conservation

- Protection of the environment is critical, addressing both sides - industry impacts to the environment and environment impacts to industry. (e.g. sewage, microplastics)?
 - How will the act handle outside environmental impacts on the shellfish industry?
 - Include protection provisions for the industry.
 - Harmonize with provincial/municipal regulations (e.g. sewage overflow, septic management).
- Define serious harm.
- Compel provinces to update review practices around pesticide use and regulation.
- Move toward performance based standards - less prescriptive.

Aquatic Invasive Species/ Marine Mammal Interactions/ Integrated Pest Management

- Seek a national standard – be weary of invasive species in different regions (i.e. may not be invasive in all regions).

- Recognize if standards have economic benefit or burden for different regions?
- Allow for flexibility for regional differences.
- Make it applicable to all sectors, not just finfish. Clarify if it applies to plants and animals.
- Recognize that shellfish aquaculture is not the cause of Aquatic Invasive Species (e.g. tunicates, green crab) but bears the financial impacts of regulations. Need protection /cost sharing measure to alleviate burden on industry.
- Sea lice - a lot of national and international work, it is a good candidate for developing a standard/integrated strategy.

Legislative Definition of "Aquaculture"

- Include in definition what is not aquaculture. Clarify if it applies to plants and animals.
- Recognition of aquaculture in agri/aqua labelling to make growers eligible for funding programs, insurance, etc
- Consistent definition nationally, however, there are concerns that national approach could miss regional needs.
- Private property piece separates aquaculture from other fisheries.
- A clear definition that allows DFO to regulate with credibility while enabling growth.
- More funding required for west coast, to enable the industry's growth potential.
- Industry committee member said they are hindered by lack of protection of industry as a farming practice.
- Remove aquaculture from DFO. The department that regulates wild fisheries should not be managing aquaculture. One industry has a protection mandate (wild) while the other is growth (aqua).

DFO to compile information provided on a potential Aquaculture Act, as well as the information added to the sheets around the room. This advice will be sent to the aquaculture policy team in Ottawa for inclusion in the national consultations results, which will be considered when developing the potential new Act and the FGR changes.

BC Farm Industry Review Board (FIRB) presentation (Myron Roth)

- As of 2017, aquaculture farms are candidates for assessment under the BC FIRB. Complaints are heard and ruled upon, using the standard of normal farm practices where no other regulations exist. No aquaculture complaints have been heard yet. Myron recommends discussing any issues or complaints with him first, and if not resolved the issue may go to FIRB.
- BC to follow up regarding industry committee member question of intertidal beach hardening is a standard farm practice but in conflict with upland owners' access to foreshore.

Compliance and Protection (C&P) update (Kirsty Walde)

- C&P updated on their role and recent activities regarding shellfish aquaculture including debris efforts. Their priority is protection of public health, and the current focus is on product tagging and traceability.
- A member asked about C&P inspections at shellfish processing plants. Kirsty said the focus was product tags to assure control of harvest and appropriate transport to processor.

Debris Management Strategy Update (Chris Marrie)

- Update provided.
- A member asked how debris is determined. Chris responded that anything that originates on tenure and should be secured on tenure and used as intended and has migrated off-tenure is debris.
- A member commented that the spotlight on marine debris has created some awareness among Indigenous Groups, which has prompted clean-up of derelict vessels and tenures on First Nations.
- A member commented that Styrofoam is a larger problem that previously known.

Discussion of future meeting agendas and dates roundtable (Craig Darling)

Member comments included

- Appreciation of the opportunity to collaborate.
- Appreciation of removal of derelict vessel. Need to remove vessel before it does damage. Need to develop a definition of derelict vessel and standard plan for removal

ACTION: Industry recommends adding derelict vessels to future agenda for discussion.

- Need more time at meetings, felt we are rushing through meetings with a full agenda. Need opportunities to provide comment after meetings.
- Feedback on Aquaculture Act would be more meaningful if could comment on a draft proposal
- Feedback on Aquaculture Act engagement was lots of new information to digest, and don't feel that today has done it justice. DFO responded that comments are welcome anytime, send feedback and comments to Brenda/Jennifer Mollins at imaps@dfo-mpo.gc.ca .
- The sea cucumber thinking is evolving regarding a management framework, and work is continuing.
- DFO responded on possible abalone aquaculture that abalone possession is not allowed under the Species at Risk legislation, and is not currently being considered in the emerging species framework.

Next in-person committee meeting will be April 26 in Courtenay.

Summary of action items:

1. Members and DFO to contact Transport Canada to encourage enforcement of human waste containment regulations on vessels, as it impacts shellfish aquaculture.
2. Members recommend adding derelict vessels to future agenda for discussion.

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