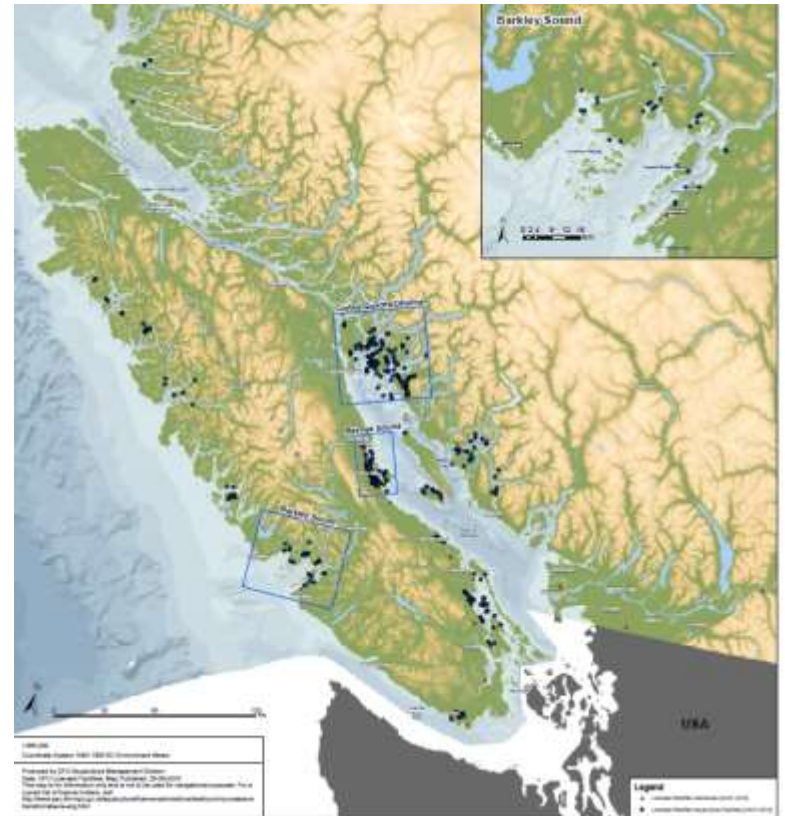




HARMONIZATION



14 April 2021
Shellfish Aquaculture Management
Advisory Committee (SF AMAC)
Web-Based Meeting



Agenda

- Brief background and Quick introduction
- Memorandum
- Committees and sub committees
 - Areas of New improved harmonization
- Agency Updates
- Questions



BRIEF BACKGROUND - Harmonization

In order to culture Shellfish in BC, must have approvals/authorizations:

- Shellfish Aquaculture Licence (Fisheries and Oceans Canada, DFO)
- Navigation Protection Program (NPP) Approvals (Transport Canada)
- Tenure Agreement (Province of British Columbia)



Government of Canada / Gouvernement du Canada | Canada.ca | Services | Department

Fisheries and Oceans Canada

On the water | Fisheries | Science and research | Ecosystems | Species | Aquaculture | Regions

Home → Pacific Region → Aquaculture → Licensing

Aquaculture licensing in British Columbia

Overview | Applications and decisions | Enhancement / stocking | Freshwater / land-based | Marine finfish | Shellfish

Shellfish aquaculture licensing in BC

Fisheries and Oceans Canada is responsible for licensing all aquaculture facilities in BC. The aquaculture licence and conditions of licence are designed to ensure the sustainable operation and development of shellfish aquaculture.

- [Shellfish aquaculture licence and conditions of licence](#)

The following list is updated regularly to reflect changes in licence status. It provides assurance to shellfish processors that they are purchasing seafood from a licensed operation.

- [Current valid shellfish BC aquaculture licence holders \(for processors\)](#)

Canada
Fisheries and Oceans Canada / Pêches et Océans Canada

Shellfish Aquaculture Licence under the Fisheries Act

License For: Aquaculture
License No: AOSF 2021
ISSUED TO:

Date Issued:
Expires Date:

This licence is issued under the authority of the Fisheries Act and confers, 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 to attached inserts.

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 the marine shellfish aquaculture facilities. As well, it is the licence holder's responsibility to be informed of, and comply with, the Fisheries Act and the regulations made there under, in addition to these conditions.

This licence or a copy of this licence shall be kept on site at the licensed facility and be available for inspection by a Fishery Officer or Fishery Guardian.

The above licence holder is authorized by this licence to carry on the business of aquaculture at the following location and for the following species:

Facility Reference Number	Location and Legal Designation
	<ul style="list-style-type: none"> -STECOMBERIDGE- -LEALLESBOUFFON- -LANDFELDLEIGH- -PTMA-
	Land File PTMA

Page 1 of 2

Contact
For general information about aquaculture licences please contact
✉ Shellfish.Aquaculture@dfo-mpo.gc.ca



Harmonization - Memorandum

Memorandum of Understanding (MOU) –

- Canada-BC agreement on aquaculture management
- sets out the roles and responsibilities of the different governments
- harmonize and synchronize respective Federal and Provincial decision making processes and criteria.
- approved in 2010 but is currently under review and may be updated





Harmonization Committees

There are multiple committees in which the 3 agencies, Province of BC Ministry of Forrest Lands Natural Resources and Rural Development (FLNRORD) and Ministry of Agriculture, Transport Canada (TC) and DFO participate

➤ **Management Committee (AMC)**

executive committee, holds overall decision making authority and resolves inter-agency issues;

➤ **Director of Aquaculture Committee (DAC)**

director-level forum that ensures strategic coordination among agencies;

➤ **Harmonized Working Group (HWG)**

operational-level forum; works to support strategic coordination among agencies; and

➤ **Project Review Team (PRT)**

operational-level group principally responsible for tracking and advancing shellfish applications.



Harmonization

FLNRORD, TC and DFO work closely together to harmonize many aspects of aquaculture.

Multiple areas or sub committees are being discussed and formed to improve harmonization.

Some include but are not limited to:

- **Project Review Team (PRT)**

Review all applications (shellfish, finfish, aquatic plants) to determine whether they can be accepted for review.



Improving Harmonizing in other areas

- **Licensee Amendments/
Assignments:**

name changes of
licence/tenure holders

- **Diligent Use:**

review the use of
tenures/licences to ensure they
are meeting BC diligence use
requirements

- **Unlicensed Facilities:**

review expired
tenures/licences/approvals

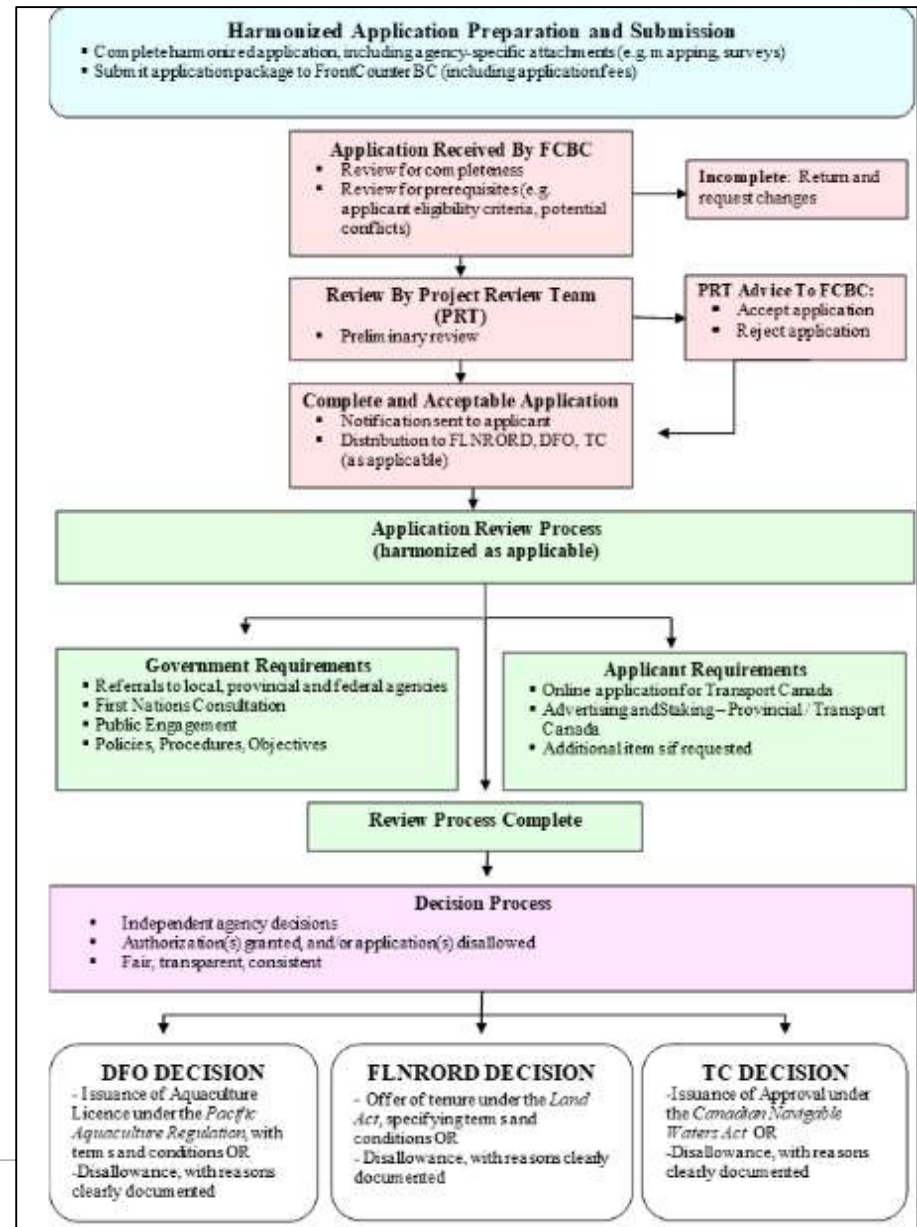




New Improvements under the PRT

Harmonized Application Process

Updated and included in letter to applicant





New Improvements under the PRT

Harmonization Applications and Guidebook

*NEW - Harmonized Aquatic Plant application
(with or without co-culture/ mari-culture)*

**IN PROGRESS
COMING SOON**



New Improvements under the PRT

Harmonization Debris Management Plan — required with every application

Shellfish Aquaculture Debris Management Plan Guidance

This document provides guidance to provincial shellfish aquaculture tenure and licence holders (aquaculture operators) on the information that should be included in a debris management plan. The debris management plan is a document for the aquaculture operator to implement, but it does not absolve the operator from complying with any of the requirements under the DFO licence, provincial tenure contract, or any other municipal, provincial or federal authorization.

Debris:

- Pieces of gear, equipment, and/or infrastructure that has become lost, scattered, or discarded in the natural environment.
- Any persistent solid material that is manufactured or processed and directly or indirectly, intentionally or unintentionally, enters into the marine environment.

Contents of a debris management plan

Section 1 – Gear, Equipment &/or Infrastructure

- Identify, describe, and inventory:
 - each type of gear, equipment, and/or infrastructure that will be used on site.
- For each item/group of items list their expected lifespan and the probability of each item becoming debris.
- Identify the highest risk items for becoming debris and mitigation measures to be implemented to prevent them from becoming debris.
- List the end of life destination for each type of gear once it is degraded or otherwise no longer functional
- Describe where any debris from your site may travel to and why (e.g. beaches vs. sea floor). Please provide rationale for your assessment.

Section 2 – Debris Management Protocols

- Describe how you will reduce and manage debris generation.
- Create an inspection and maintenance checklist outlining what is to be checked and what info will be recorded by those doing the inspection.
- Describe protocols for the inspection and maintenance of gear, equipment and/or infrastructure including the frequency (e.g. every week, every month, etc.).
- The inspection and maintenance protocols should be specific, including:
 - the actions that will be taken (such as regularly scheduled clean-ups of tenure areas & surrounding area);
 - the frequency of maintenance and inspections;
 - how you will document the actions taken; and,
 - the process to assess the adequacy of your debris management protocols.
- Outline your debris complaint response protocols. i.e. if you receive a public complaint regarding debris generated from your site.

Section 3 – Implementation Plan

- Describe the steps you will take to implement the debris management plan (e.g. develop standard operating procedures, staff training plan, etc.).
- Describe how you will document the actions taken by you or your staff described in the debris management plan.






Section 4 – Contact Information

- Define instructions for how members of the public may contact you to report debris, including proposed signage or other site or equipment markings.



New Improvements under the PRT

Harmonized letter
confirming acceptance /
rejection by PRT

Date: _____

ATS: _____

BC Lands File #: _____

DFO Aquaculture Facility #: _____

TC Navigation Protection Program (NPP) File#: _____

Client name: _____

address: _____

Via Email: client or agent

Attention: client or agent

Re: Aquaculture Application for Shellfish in the vicinity of _____

Your application for Aquaculture – Shellfish in the vicinity of _____, has been accepted by the joint federal/provincial Aquaculture Project Review Team (PRT). The PRT consists of representatives of Fisheries and Oceans (DFO), Transport Canada (TC) and Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) - collectively referred to in this letter as the "Authorizing Agencies".

This letter acknowledges acceptance of the following requests contained within the application package:

- Federal Aquaculture Licence under the *Pacific Aquaculture Regulations*
- Federal Authorization under the *Canadian Navigable Waters Act*
- Provincial Crown land Licence of Occupation under the *Land Act*

This letter does not imply authorizations will be offered nor does it give you any authorization to occupy or use the Crown land, undertake any activity, or place works. **Installation of works may only commence when approvals from DFO, TC and FLNRORD have been confirmed, in writing.**

One or more of the Authorizing Agencies may contact you in the future to discuss your application or to request additional information they may require with respect to the processing of your application.

Please carefully read the following information which outlines important details about your application review and additional requirements for you as the applicant.

FrontCounter BC

42 – 2080 Labieux Rd
Nanaimo BC V9T 6J9

Phone: 250-751-7220
Toll Free: 1-877-855-3222
Fax: 250-751-7224



Other Harmonized Improvements

- **Harmonized Decisions/Authorizations:**
coordinate submission of decisions and authorization / issuance after each agency conducts independent full reviews (approve or deny)
- **Shared File Location:**
all agencies now have access to one shared location. Constant communication on any harmonized application





DFO Update

- **Single Party Verification:**

Authorizations issued in one entity name

Fishery Notice

Category(s): AQUACULTURE - Freshwater/Land-based
AQUACULTURE - Marine Finfish
AQUACULTURE - Shellfish

Subject: FN0828-AQUACULTURE - Amendment to Licensing Procedures

Effective immediately, Fisheries and Oceans Canada (DFO) will no longer issue aquaculture licences in British Columbia to multiple parties. Aquaculture licences will be issued to a single party only (an individual, company or First Nation) to align with the policy in place for Commercial (party based) licence eligibilities, and Recreational, Tidal Water Sport Fishing Licence Issuance.

Valid licences held by multiple parties will be converted to single party licences upon licence amendment, or licence renewal in 2025, whichever comes first.

FOR MORE INFORMATION:
AquacultureLicensing.XPAC@dfo-mpo.gc.ca
Fisheries & Oceans Operations Center - FN0828
Sent August 14, 2020 at 09:03



- **DFO Licensee Amendment:**

(Licence Holder Name Change)

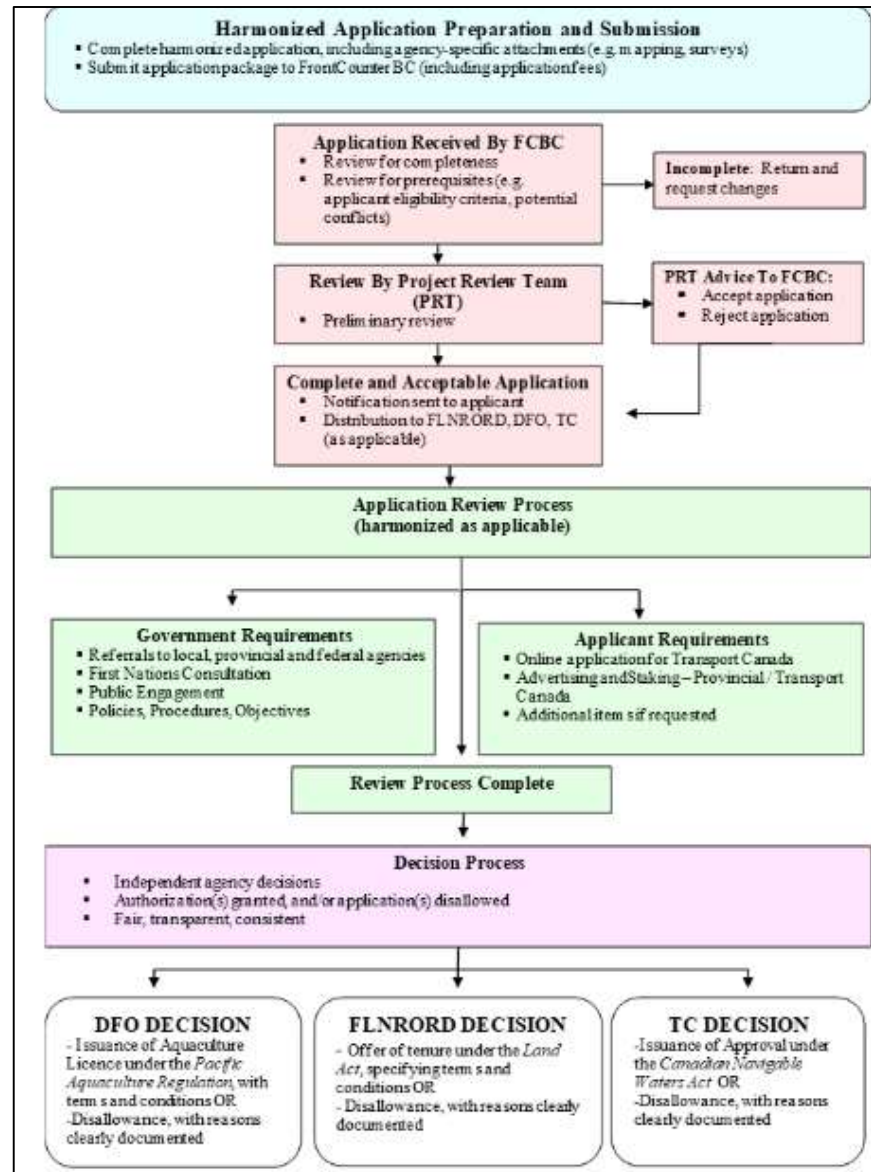
Working with other agencies to determine a way for tenure holders may apply to amend licence holder name on DFO Licences and TC NPP Authorizations in conjunction with BC Tenure replacements



APPLICATION FOR LICENSEE NOMINATION		
<i>Information and requirements are outlined on the reverse side of this form.</i>		
<p>I/WE _____ <small>Full Legal Name of Nominee (Dictator)</small></p> <p>CV _____ <small>Street Address</small></p> <p>City _____ Province _____ Postal Code _____</p> <p>Telephone # _____ Date of Birth (YYYYMMDD) _____</p>	<p>DFO USE ONLY FRN _____</p> <p>Signature Authority on File <input type="checkbox"/></p> <p>Signature Authority on File <input type="checkbox"/></p>	
<p>HEREBY SOLEMNLY DECLARE:</p> <p>1. THAT according to Department of Fisheries and Oceans records I/We are eligible for an Aquaculture Licence eligibility, identified as: _____ <small>Licence Number Facility Number Licence Number</small></p> <p>2. THAT I/WE have no further intention to apply for this licence eligibility.</p> <p>3. THAT I/WE request that the Minister of Fisheries and Oceans in his sole discretion give consideration to the establishment of a new fishing licence eligibility to the following NOMINEE:</p> <p>_____ Full Legal Name of Nominee</p> <p>_____ Street Address</p> <p>_____ City _____ Province _____ Postal Code _____</p> <p>_____ Telephone # _____ Date of Birth (YYYYMMDD) _____</p>		
<p>Industry is reminded that licences are only a privilege to fish issued at the Minister's discretion. Licences are not an asset and do not convey any property rights to the licence holder.</p>		
<p>It is an offence under the Criminal Code Section 121 to make a false declaration.</p> <p>Signature of Nominee (Dictator) _____ <small>Printed Name of Nominee (Dictator)</small></p>	<p>I/We declare that at _____ in the Province of British Columbia this _____ day of _____ 20____ <small>Commissioner for Taking Affidavits for British Columbia</small></p> <p>Proprietor / _____</p>	<p>COMMISSIONER STAFF SIGN</p>
<p>DFO USE ONLY</p> <p>Date Received _____</p> <p>Accepted/Not Accepted by _____ Date _____</p> <p>Requisition/Comments _____</p> <p>Other Parties Notified _____</p>		



Transport Canada Update





Applying to TC

- Making an application to Transport Canada

Navigation Protection Program (NPP) External Submission Site: Sign in or register

Sign in or register a new account

i In order to access this website, you must **sign in**. If you don't have an account, you must **register** a new account. Please make a selection below.

Welcome to the NPP External Submission Site. The intent of this website is to provide Canadians with a central point to submit an application for an approval or to publish a notification for a work. It is also intended for Canadians who wish to submit comments on projects that are published on the public registry and for which the comment period is still open.

Already have an account?

Sign in

Don't have an account?

Register

<https://npp-submissions-demandes-ppn.tc.canada.ca/auth/login-connexion?ret=%2F>



Applying to TC

- Making an application to Transport Canada

My account

- My login information
- My contacts**
- Logout

Navigation Protection Program (NPP)

- Applying to the Navigation Protection Program (NPP)
- Project Review Tool: Determine your project's requirements
- Awareness documents and templates

Create an application or notification

- Create an application for approval**
- Create a notification of work on a non-scheduled waterway (public resolution)
- Create a no interference with navigation notification of work

Applying to the Navigation Protection Program (NPP)

Transport Canada's Navigation Protection Program (NPP) helps keep Canada's navigable waters open for transport and recreation. The program administers the [Canadian Navigable Waters Act](#), [The Wrecked, Abandoned or Hazardous Vessels Act](#), and parts of the [Canada Shipping Act, 2001](#). In 2019, the [Navigation Protection Act](#) was amended and renamed the CNWA to better reflect its purpose. [Changes in the Act](#) were aimed at strengthening environmental protection, as well as protecting waters on which the public has the right to travel (navigable waters).

Under the [Canadian Navigable Waters Act](#) (CNWA), owners of works who propose to [construct, place, alter, rebuild, remove or decommission](#) works that are in, on, over, under, through or across any navigable water may be required to apply for an approval to Transport Canada (TC), or seek authorization through the public resolution process.

Before you submit an application or a notification through this system, you must determine if:

- Your project may be categorized as a major or minor work;
- Whether your work will be located on a waterway listed on the [schedule](#) of the CNWA; and
- Whether your work will interfere with navigation or not.

Depending on the result of this determination, the process will be different. If you are unsure which type of application or notification is required for your work, we suggest that you use the project review tool.

Applying to TC

- Complete the application and submit.
- Receive an automatic email confirmation that your application has been received.
- Your application will be assigned to an NPP officer once processed by administration
- You will receive an email, or letter, with the NPP officer name and informing you that you may advertise.
- In the ESS, open up your application and enter the dates your advertisement will run in the paper

Filter items Showing 1 to 2 of 2 entries | Show **10** entries

Registry Number 	Application Title 	Submission Status 	Actions
3288	Aquaculture Site 2	In progress 2021-04-14 5:19:19 AM	<div style="border: 1px solid black; padding: 5px;"> View Enter publication date </div>
3284	aquaculture	In progress 2021-04-13 4:07:50 PM	<div style="border: 1px solid black; padding: 5px;"> View </div>

Harmonization - advertising

PUBLIC NOTICE OF AQUACULTURE LICENCE APPLICATION

<p>Land Act: Notice of Intention to Apply for a Disposition of Crown Land</p> <p>Take notice that I, Applicant's name from Town, BC, have applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), for an amendment to Tenure Type – Purpose (insert species and culture methodology) situated on Provincial Crown land located at Site location/vicinity and/or legal description.</p> <p>The Lands File Number that has been established for this application is Crown Land File #.</p> <p>Comments may be submitted electronically via the provincial Applications, Comments & Reasons for Decision webpage at https://comment.nrs.gov.bc.ca</p> <p>Alternatively, hard copy comments may be directed to the Section Head, Aquaculture, Ministry of Forests, Lands, Natural Resource Operations and Rural Development at 142 - 2080 Labieux Rd, Nanaimo, BC, V9T 6J9.</p> <p>Comments will be received by FLNRORD up to date. FLNRORD may not be able to consider comments received after this date.</p> <p>Please visit the website at https://comment.nrs.gov.bc.ca/ for more information.</p> <p>Be advised that any response to this advertisement will be considered part of the public record. For information, contact the Freedom of Information Advisor at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development office in Nanaimo.</p>	<p>Canadian Navigable Waters Act: Notice of application for Approval of Aquaculture Facility.</p> <p>Applicant's Name hereby gives notice that an application has been made to the Minister of Transport, pursuant to the Canadian Navigable Waters Act for Approval of the work described herein and its site plans.</p> <p>Pursuant to Paragraph 7(2) of the said Act, Applicant's Name, has deposited with the Minister of Transport, on the on-line Navigable Waters Registry (or Common Project Search (CPS): http://cps.canada.ca/), under the Navigation Protection Program File number# xxxx-xxxxxx and the CPS registry number ###, a description of the following work, its site plans:</p> <p>(Nature and status of work) in, on, over, under, through or across (Name of navigable water) at (Name of place where work is to be located) in front of lot number (or at the foot of such a street, etc).</p> <p>Comments regarding the effect of this work on marine navigation can be sent through the Common Project Search site mentioned above under the Comment section (search by the above referenced number) or, by sending your comments directly to the Navigation Protection Program Pacific, Suite 820 – 800 Burrard Street, Vancouver, B.C., V6Z 2J8 if you do not have access to the internet</p> <p>However, comments will be considered only if they are in writing (electronic means preferable: NPPAC-PPNPAC@tc.gc.ca) and are received not later than 30 days after the publication of the last notice. Although all comments conforming to the above will be considered, no individual response will be sent.</p> <p>Date: _____ Signature: _____</p>
--	--



- The registry will open for comment on the date you entered as the publication date of public notice.

****30 day comment period is required****

- Joint advertising documents will have been sent out with the PRT acceptance letter from FCBC, which will now unify FLNRORD and TC's advertising requirements.
- Proof of advertising is to be sent to the NPP officer to verify compliance with the Act.
- Once the NPP officer has processed your application, you will receive an approval of the works with conditions that will mitigate your impact to navigation.



APPROVALS – Authorizations to impact navigation

- Previous approvals had an expiry date of 5 years. If you have an expired approval, or an approval that is about to expire, you need to reapply through the ESS for a new approval
- If you have modified your site and need an amendment to your approval, you need to reapply for a new approval
- If you have never applied to TC, you have no approval authorizing your work, you need to apply for an approval.
- If you have changed ownership of your infrastructure, you need to notify the NPP office to have the records updated.

FLNRORD Update

Crown Land Use Operational Policy: Aquaculture

9.5.3 Diligent Use

Diligent use = compliance with the management plan and maintaining a satisfactory level of use/production.

Diligent use can be assessed any time, but two key areas where further harmonization efforts that relate to diligent use are underway:

- **Debris, derelict, and unlicensed sites**
- **Tenure Replacements**

Replacement checklist:



Ministry of
Forests, Lands, Natural
Resource Operations
and Rural Development

Aquaculture Tenure Replacement Checklist

How to apply for a provincial tenure replacement for aquaculture

Please complete the following steps:

Assemble and submit the application package:

- Completed infrastructure table from the harmonized application form (Part 1 – Section F)
 - [shellfish & aquatic plants](#)
 - [finfish](#)
- Up-to-date top view operational diagram (shellfish or aquatic plants) or approved cage array diagram (finfish);
- Recent site photos
- Debris management plan (shellfish & aquatic plant tenures only)

Example



Thank you!

Questions?

