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# DFO's Aquaculture Legislative, Regulatory and Development Strategy Update

Shellfish Aquaculture Management  
Advisory Committee

January 25, 2017

Canada 



## Outline

1. Update on legislative reform and planned engagement
2. Other regulatory/program reform activities:
  - Amendments to the Fishery (General) Regulations re: Fish Health
  - Aboriginal Aquaculture in Canada Initiative (AACI)
  - CSSP (other presentation)

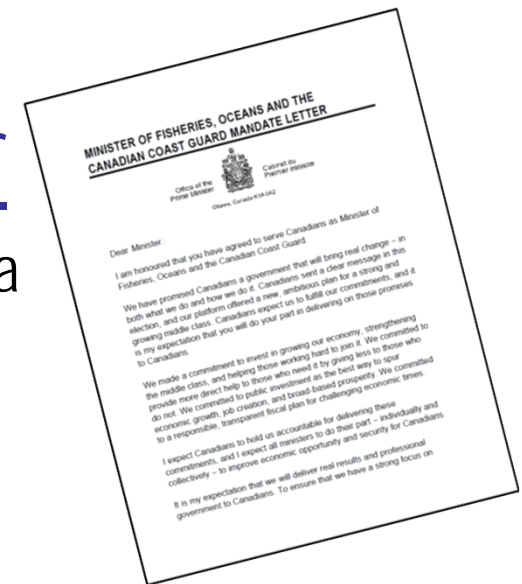


# The Ministerial Mandate Letter

“No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership” and;

One of the priorities identified in the mandate letter was “..to support responsible and sustainable aquaculture industries on Canada’s coasts.”

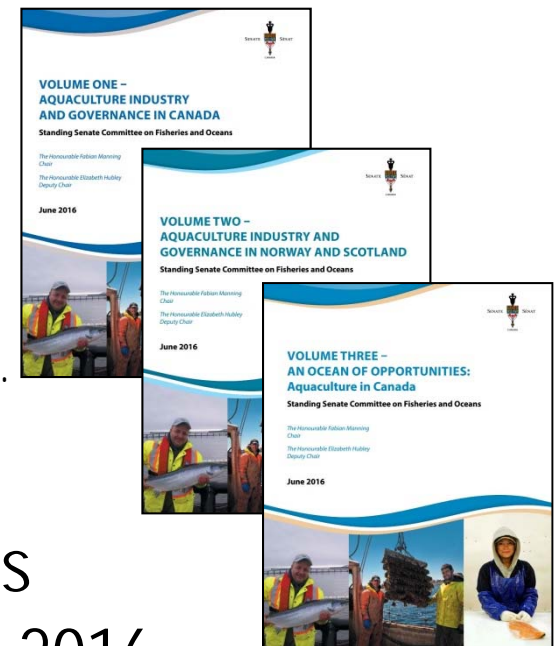
The Department is delivering on these important instructions by initiating meaningful consultation with Indigenous Peoples related to the sustainable development of aquaculture.





# SCOFO Report on Aquaculture

- In December 2013, the Standing Senate Committee on Fisheries and Oceans (SCOFO) began a study of the aquaculture industry with the mandate to “examine and report on the regulation of aquaculture, current challenges and future prospects.”
- The final report first released July 2015:
  - Vol 1: The industry and its governance in Canada;
  - Vol 2: The industry and its governance in Norway and Scotland;
  - Vol 3: Opportunities for aquaculture in Canada (recommendations).
- Accepted by the Senate June 21, 2016.
- The Government Response to the Committee’s recommendations was tabled on November 1, 2016.





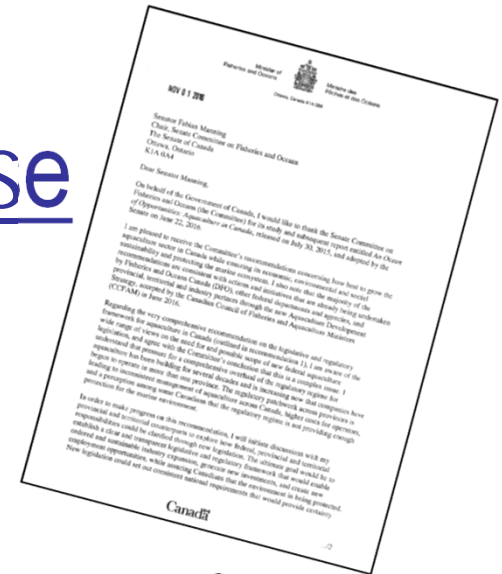
# Senate SCOF0 Report - Recommendations

- 10 comprehensive and far-reaching recommendations, aimed at doubling Canadian aquaculture production within the next decade through sustainable growth.
- The recommendations can be grouped into three categories:
  1. Development of a comprehensive Aquaculture Act that "asserts the full extent of federal jurisdiction in aquaculture" and contains a number of other important characterizations
  2. Improvements to aquaculture management
  3. Recommendations for continued science research and innovation



# The Federal Government Response

- The most significant recommendation is the recommendation for an Aquaculture Act.
- Federal Government committed to exploring options for legislative reform, including development of an Aquaculture Act.
- All recommendations related to daily aquaculture management or science research and innovation are currently being addressed through existing DFO programs and through the new CCFAM Aquaculture Development Strategy (ADS).





## Desired outcomes for legislative reform

Desired outcomes for new legislation governing aquaculture include:

1. Objectives focused on establishing a shared national vision, direction, and leadership for the sustainable management of aquaculture.
2. Enshrining **the highest standards for environmental protection** using national standards to establish a consistent regulatory approach.
3. More transparent national public reporting to improve public confidence in aquaculture management.
4. Framework for how the federal government will work with provinces, territories, Indigenous peoples, and other stakeholders to better co-manage aquaculture in our three oceans.



## Engagement Plans

- Engagement on legislative reform will begin in early 2017 and includes:
  - discussions with provincial and territorial partners (February);
  - engagement with Indigenous Peoples (starting January; specific consultations beginning in March);
  - consultations with industry, fisheries organizations, conservation groups and other stakeholders (starting in March);
- Development of policy considerations is to be discussed with all and will be based on at least three legislative options:
  - a whole-of-government Aquaculture Act;
  - a new section in the *Fisheries Act*;
  - an Aquaculture Act that cross-references relevant provisions in the *Fisheries Act*; or
  - a stand-alone Aquaculture Act;
  - other options that may be proposed.





# Other Regulatory Reforms



## MCFR

### *Management of Contaminated Fisheries Regulations key issues:*

1. absence of provisions to authorize removal of shellfish in closed areas for the purposes of off-lease maintenance activities (cleaning equipment, sorting stock, culling, grading) and collection of seed, spat and broodstock for aquaculture purposes;
2. administrative burden related to naming requirements on MCFR licences;
3. the collection of \$20 fee for each additional person listed on a MCFR licence; and,
4. the collection of \$100 licence fee for the purpose of scientific investigation.



## Fish Health Management in Canada

### Background:

- Federally, DFO used to solely manage aquatic animal health through the *Fish Health Protection Regulations* (soon to be repealed) and the *Fishery (General) Regulations* (FGR).
- As of January 2016, the Canadian Food Inspection Agency (CFIA) has fully implemented the National Aquatic Animal Health program (NAAHP) and is now the federal lead on aquatic animal health.
- The implementation of the NAAHP has resulted in program overlap between DFO and the CFIA.
- Options are being developed to address this overlap.



## Fish Health Management in Canada

### **Purpose of Proposed Amendments:**

- Align DFO's management of disease risks regarding fish movements with those carried out under the NAAHP while continuing to uphold the mandate of the Minister of Fisheries and Oceans to conserve and protect fish.

### **Regulatory Proposal:**

- Resolve overlap with the NAAHP by amending FGR section 56, so that the Minister, when issuing licences, would no longer need to consider disease risks already being managed by the CFIA through the NAAHP.



## Fish Health Management in Canada

### Expected Outcomes:

- Clarification of roles and responsibilities between DFO and the CFIA regarding fish health.
- More efficient and effective allocation of resources regarding the Minister's consideration of disease risks and subsequent issuance of licences to move fish, while maintaining DFO's responsibilities for protecting fish and the environment.
- Reduced program duplication, which would result in reduced costs for businesses (evidence of fish health status in relation to a particular disease would only be provided to either the CFIA or DFO, not both) and the Federal Government (only one federal agency or department would have to consider any one disease risk related to the intentional movement of fish).



## Aboriginal Aquaculture in Canada Initiative

- Funding through the Strategic Partnerships Initiative (SPI) for the Aboriginal Aquaculture in Canada Initiative (AACI) was extended for an additional 2-years (ending March 31, 2018).
- The regional Aquaculture Business Development Teams supported through the AACI have been successful in helping Indigenous communities develop (and implement) aquaculture business development plans.
- The 'Business Development Team' approach has been recognized as a best-practice for supporting Indigenous economic development. Discussions are ongoing related to the potential to continue support for aquaculture BDT's post-AACI.