

Summary of changes to the 2021 Shellfish Conditions of licence include but are not limited to:

New Definitions:

Proposed COLs	Within 2021 COLs	
New definitions	<p>“Aquatic Invasive Species”</p> <p>“Container”</p> <p>“Debris”</p> <p>“DFO Approved Tag Supplier”</p> <p>“Fishery Tag”</p> <p>“Foam”</p> <p>“Important and Sensitive Habitat”</p>	<p>“Introduction”</p> <p>“Marine Mammal”</p> <p>“Refuse”</p> <p>“Secondary Containment”</p> <p>“Toxic”</p> <p>“Transport Water”</p> <p>“Water Classification”</p>

Traceability COL Summary

Proposed COLs	Gap being addressed	Within 2021 COLs
Record keeping of product movements must be completed by midnight on the day that the movements are conducted.	Previous language around recording within 24 hours was ambiguous and hard to enforce. A shorter time period will ensure growers to complete records while it is still fresh in mind, hopefully, improving the quality.	PART B. General Licence Conditions Section 15. Records s.15.1 s.15.2
Record keeping units of measure (i.e. dozens, gallons) must match units being reported in the Annual Aquaculture Statistical Report.	Audits of shellfish licence holder records frequently find different units are being reported which makes audits impossible.	PART B. General Licence Conditions Section 15. Records s.15.4 (b)
Records must be retained and must be able to be submitted in a sortable electronic format within 24 hours of a Fishery Officer request.	Records being audited are coming in in all forms, including envelopes full of receipts, marker in notebooks, etc. This requirement matches a new proposal by the US National Shellfish Sanitation Program (NSSP) and will be favorably viewed by the US FDA.	PART B. General Licence Conditions Section 15. Records s.15.1(c)
Size limits for aquaculture clams analogous to wild commercial clams.	Eliminate ability to launder illegally caught undersized wild clams by tagging as aquaculture product.	Did not include in 2021 SF COLs
No longer accept flagging tape as an identification tag.	Tape does not meet requirement of durable and one cannot reasonably get all tagging requirements recorded in the limited space. As a comparison the NSSP requires tags have a minimum size of 2 5/8 by 5 1/4 inches.	PART B. General Licence Conditions Section 12 Harvesting and Handling s.12.1 (c)

2021 Shellfish Conditions of Licence Summary

<p>The ability to sell product to third party buyers will be eliminated, unless the buyer is affiliated with a facility licensed by the Canadian Food Inspection Agency with the appropriate shellfish processing permission.</p>	<p>This represents a major traceability gap. Buyers of shellfish aquaculture product are not regulated under the provincial Fish and Seafood Act. When shellfish product goes to 3rd party buyers, licence holders lose the ability to know which processing facility the product went to (or if the product went at all). It increases the risk for illegal harvest to be laundered as aquaculture product.</p>	<p>PART C. Additional Conditions by Species or Activity Section 1. General Culture of Bivalve Species s.1.1 s.1.2</p>
<p>For facilities with seed in prohibited areas due to floating living accommodation, a valid <i>Management of Contaminated Fisheries Regulations</i> Licence (MCFR) must always be in place to allow eventual harvest.</p>	<p>Current COL speaks only to having a valid MCFR when seed is harvested for grow out. Many facilities have let MCFR lapse and there is large risk of movements happening without a valid MCFR in place.</p>	<p>PART C. Additional Conditions by Species or Activity Section 1. General Culture of Bivalve Species s.1.4</p>
<p>Wet storage and bulk tagging are not permitted unless a plan has been submitted and approved by DFO and is attached to the licence.</p>	<p>This corrects jurisdictional changes around approval of wet storage, making it clear that these activities are prohibited unless approved. The proposed change will also provide licence holders with an avenue to conduct wet storage if they submit a plan that satisfies all traceability requirements.</p>	<p>PART B. General Licence Conditions Section 12 Harvesting and Handling s.12.1 (d)</p>

Fish and Fish Habitat COL Summary

Proposed COLs	Gap being addressed	Within 2021 COLs
<p>Foam Containment – new COLs. Phased approach, as of April 2021 newly installed floatation must be made from rigid durable non-toxic shell. Mandatory all floatation updated before April 2023.</p>	<p>Replacement of term Styrofoam (trademark product) with Foam. Introduces a staged approach for removal of any floatation that is made of toxic plastic to protect the marine environment.</p>	<p>PART B. General Licence Conditions Section 9. Protection of Fish and Fish Habitat s.9.1 <i>(Phased in approach. No use of foam after April 1, 2023)</i></p>
<p>Predator Control / Exclusion gear – updated COLs requiring gear be designed, constructed, installed, secured and maintained more frequently to not cause harm. New COL outlining licence holder may not use standard infrastructure not installed for exclusion purposes; and use of rebar.</p>	<p>Updating language to ensure equipment is not coming loose. To mitigate debris in the marine environment.</p> <p>Rebar requirements to align with BC advice.</p>	<p>PART B. General Licence Conditions Section 7. Predator Control s.7.1 s.7.2 Section 9. Protection of Fish and Fish Habitat s.9.7</p>

2021 Shellfish Conditions of Licence Summary

<p>Securing of Gear – clarifying COLs: shellfish infrastructure not actively culturing to be secure at all times; infrastructure not installed to be stored off tenure; and to retrieve any lost or errant gear.</p>	<p>Updating language to ensure equipment cannot come loose in the marine environment. To mitigate debris in the marine environment.</p>	<p>PART B. General Licence Conditions Section 9. Protection of Fish and Fish Habitat s.9.3 through 9.6</p>
<p>Sensitive Habitat – deleterious substances storage and containment; Re-introducing Machine operations maintenance and clean up COLs; avoidance of sensitive habitat and actions if the habitat moves into actively cultured areas (i.e. eelgrass).</p>	<p>To mitigate deleterious substances in marine environment and protect sensitive habitat before installing infrastructure and during active culture.</p>	<p>PART B. General Licence Conditions Section 9. Protection of Fish and Fish Habitat s. 9.10 through 9.13</p>
<p>Marine Mammal Mitigation / Deterrents – new COLs and appendix. Requiring approved deterrents be installed to mitigate conflicts with marine mammals; infrastructure not actively culturing to be secure at all times; infrastructure not installed to be stored off tenure; and to retrieve any lost or errant gear or infrastructure.</p>	<p>To mitigate possible sea lion interactions on rafts, which may cause potential Canadian Shellfish Sanitation Program (CSSP) concerns and knocking gear off rafts creating debris. For 2025 COLS will propose a timeline for any lost gear to be retrieved.</p>	<p>PART B. General Licence Conditions Section 8. Marine Mammal Interactions</p> <ul style="list-style-type: none"> • Appendix IV: Sea Lion Exclusion Devices
<p>Gear Marking or Identification – New COLs phasing in mandatory gear marking on shellfish culture gear as of April 2023. New appendix listing all gear and infrastructure subject to gear identification.</p>	<p>To mitigate debris in the marine environment.</p>	<p>PART B. General Licence Conditions Section 11. Gear and Equipment Identification</p> <ul style="list-style-type: none"> • Appendix VII: Equipment or Gear Identification <u>(Phased in approach. Starting April 1, 2023)</u>
<p>Seafloor clean up – New COL and appendix requiring annual seafloor inspection and clean up records be maintained.</p>	<p>To mitigate debris in the marine environment.</p>	<p>PART B. General Licence Conditions Section 9. Protection of Fish and Fish Habitat s.9.8 s.9.9 Section 15. Records s.15.7</p> <ul style="list-style-type: none"> • Appendix VI: Seafloor Inspection and Clean-up Protocol <u>(Phased in approach. Starting April 1, 2022)</u>

Shellfish Transfers and Aquatic Invasive Species (AIS) COL Summary

Proposed COLs	Gap being addressed	
Expanding wording to reference both AIS species and non-indigenous species (NIS).	Align with AIS Regs and identify other AIS species not currently listed in COLs.	Did not include in 2021 SF COLs
Clarify and streamline wording between COLs for transfers of Pacific Oyster and Manila Clam.	Consistent wording with a new COL.	PART B. General Licence Conditions Section 3. Transfer of Fish s.3.1.(c)
Update COLs allowing movement of adult harvested clams to licenced areas.	Current COLs allow the wet storage and movement of Pacific Oysters but require a separate ITC licence to wet store clams.	PART B. General Licence Conditions Section 3. Transfer of Fish s.3.1.(c)
Update wording to match traceability COLs	Consistent wording with a new COLs.	PART B. General Licence Conditions Section 3. Transfer of Fish s.3.1.(c)
Update COLs requiring transport water and rinsing water must be sourced/used from the licenced harvest area.	Existing COLs are for only certain PFMA's. Science advice is to expand to all of BC in order to reduce spread of AIS which is potentially damaging fish habitat.	PART B. General Licence Conditions Section 3. Transfer of Fish s.1. (f) and (g) Section 13. Measures to Prevent the Spread of Aquatic Invasive Species s.13.2 s.13.4
New COLs outlining additional management actions in current COLs PFMA's (i.e. containment of product and transport water, disinfection, extra cleaning of vehicles etc.)	New COL wording which could open up additional areas in future COL renewals and prepare for Area Based Management.	Did not expand PFMA's in 2021 SF COLs