Shellfish Aquaculture Management and Regulatory Panel

Prepared by Fisheries and Oceans Canada

For the BC Shellfish Growers Association
Annual General Meeting

November 12, 2026

Aquaculture Management

Conditions of Licence, Annual Aquaculture Statistical Reports and reporting, licensing, regulatory modernization and industry development

Question from BCSGA

1. Licensing certainty and regulatory coordination
    - DFO's licensing requirements are directly affected by the provincial tenure system and the coordination between the two governments. How is DFO ensuring that its own licensing obligations can be met when provincial tenure decisions remain outstanding, and what does DFO do when delays or inconsistent processes between jurisdictions prevent it from completing its part of the process?

DFO Response

The BC Ministry of Water, Lands and Resource Stewardship, Transport Canada, and Fisheries and Oceans Canada coordinate their review of each aquaculture application to ensure decisions are harmonized. If one agency needs extra time to complete its review, DFO may pause its application process and notify the applicant. If any agency determines that an application cannot proceed under its regulatory authority, it immediately informs the partners.

Question from BCSGA

2. Modernizing Conditions of Licence and reporting

- How is DFO reviewing its Conditions of Licence, Annual Aquaculture Statistical Reports (AASR) and other reporting requirements to ensure that they are necessary, proportionate to environmental risk, and making effective use of information already collected by industry or government?

DFO Response

DFO reviews Conditions of Licence, AASRs, and other reporting requirements as part of an ongoing licence renewal process. Updates are developed in consultation with industry prior to implementation, with a focus on ensuring requirements are necessary, risk-based, and support effective oversight.

DFO is committed to working with licence holders and the BC Shellfish Growers' Association to identify opportunities to streamline requirements, reduce duplication, and make better use of information already collected by industry or government. Feedback can be sent to the general shellfish mailbox and is documented for consideration during future licence engagement prior to renewals.

Question from BCSGA

3. A risk-based approach to shellfish aquaculture

- How does DFO differentiate regulatory requirements according to the actual environmental risk of different shellfish aquaculture activities, rather than applying a broadly uniform approach across different production systems and operating conditions?

DFO Response

DFO applies regulatory requirements based on the species being cultured, the culture method, site characteristics, and the potential risk to fish and fish habitat, rather than using a one-size-fits-all approach.

Through the application, licensing, and compliance processes, DFO considers factors such as location, infrastructure, environmental conditions, and operational activities to determine appropriate management measures. As a result, Conditions of Licence include both general requirements and activity- or species-specific requirements where different environmental risks exist.

DFO continues to work with industry and the BCSGA to ensure requirements remain effective, proportionate to risk, and supportive of sustainable shellfish aquaculture.

Question from BCSGA

4. Regulatory modernization and accountability
   - What concrete changes should BC shellfish farmers expect from DFO's regulatory modernization work over the next 12–24 months, and what measurable outcomes will DFO use to demonstrate that the changes have reduced regulatory burden while maintaining environmental protection?

DFO Response

- DFO's regulatory modernization work will focus on smarter regulation, not deregulation. BC shellfish farmers can expect efforts to streamline processes, reduce duplication, improve data sharing, and make better use of information already collected by industry and government.
- Success will be measured by reduced administrative burden, fewer duplicative requirements, improved service delivery and regulatory clarity, while maintaining strong market access/confidence, environmental protections, and public health outcomes.

Fish and Fish Habitat

Cumulative effects, evidence-based decisions, habitat protection and the practical implications for facilities

Question from BCSGA

5. Cumulative effects and scientific evidence

- What scientific indicators, thresholds and monitoring evidence does DFO use to assess the cumulative effects of shellfish aquaculture, and how does it distinguish demonstrated environmental impacts from potential risks that have not been quantified?

DFO Response

Assessing shellfish aquaculture cumulative effects across the B.C. coast is challenging given the diversity of ecosystems and the wide distribution of shellfish growing areas. DFO therefore focuses on site and area specific assessments, considering factors such as sensitive habitat, existing activities, environmental conditions and First Nation consultation feedback.

DFO's management measures and licence conditions are designed to address known pathways of effect and mitigate identified risks to fish and fish habitat. Scientific advice, monitoring results, operational observations, and industry reporting help inform management decisions. Where uncertainty exists, DFO applies a precautionary, risk-based approach while continuing to support sustainable shellfish aquaculture.

Question from BCSGA

6. Proportionate habitat protection requirements
   - How does DFO determine which surveys, monitoring activities and mitigation measures are necessary for existing, long-established shellfish farms, particularly where the operations have a demonstrated history and the potential environmental risks are well understood?

DFO Response

DFO considers the nature of the activity, site characteristics, compliance history, and potential risk to fish and fish habitat when determining monitoring, survey, and mitigation requirements. While some requirements provide a consistent regulatory baseline, DFO continues to explore risk-based approaches that focus regulatory effort where environmental risks are greatest. Habitat surveying and other newer requirements were developed to be in alignment with other Canadian jurisdictions.

We have implemented risk-based verification and audit programs that reduce monitoring requirements for operators with strong compliance records and demonstrated low risk. DFO remains committed to working with the sector to seek opportunities to improve regulatory efficiency while maintaining environmental protection and public confidence in shellfish aquaculture management.

Question from BCSGA

7. Clear and predictable application requirements

- How is DFO ensuring that applicants receive clear, technically justified requirements for environmental studies and supporting information at the outset, rather than encountering additional requirements late in the review process?

DFO Response

- DFO seeks to identify information requirements as early as possible through the Harmonized Aquaculture Application Guidebook, and the Project Review Team intake review process, so applicants understand early what information will be needed to support the review. Templates are provided for any required fish and fish habitat surveying reports. The Guidebook clearly states what types of site selections are low risk and thus more streamlined in their review.
- While DFO strives to provide clarity at the outset, additional information may occasionally be required where site specific circumstances, environmental sensitivities, or issues identified during technical review warrant further assessment. DFO continues to work with applicants, industry, and partner agencies to improve the clarity, transparency, and predictability of application requirements while ensuring decisions are supported by appropriate scientific and technical information.

Compliance and Enforcement

Compliance, enforcement, abandoned equipment and consistent application of requirements

Question from BCSGA

8. Compliance and enforcement proportionality

- How does DFO's Conservation and Protection program prioritise compliance and enforcement in shellfish aquaculture, and how does it ensure that enforcement responses are proportionate to the nature, severity and environmental consequences of a violation?

DFO C&P Response

C&P works with the Aquaculture Management Division on priorities and develops a yearly enforcement workplan. The highest priority is addressing violations that pose a high risk to human health and/or international trade. The shellfish aquaculture sector has approx. 450 licences in which C&P aims to inspect every few years. Some inspections are random during patrols, and some are more frequent due to past compliance issues. There is also public reporting through the DFO - Observe Record Report (ORR) line which Officers assess, prioritize and potentially respond based on the severity of the alleged offence. The AMD has biologists that perform compliance inspections and audits which generate occurrences that are prioritized. The most egregious offences are assigned to Fishery Officers for further investigation. The environmental consequences of a violation are recommended through the biologists who are subject matter experts in habitat and the management of the aquaculture fishery. The enforcement action taken depends on past compliance history, nature and severity of the violation, potential for voluntary compliance, what's in the public's best interest and likelihood of a conviction in court.

Question from BCSGA

9. Abandoned gear, remediation and shared responsibility
   - How does DFO assess the actual environmental risk associated with abandoned or derelict aquaculture equipment, and how does it distinguish between responsible farm operations, historical infrastructure issues and genuine abandonment?

DFO AMD Response

DFO biologists evaluate abandoned or derelict aquaculture equipment based on its potential impacts to fish, fish habitat, and marine wildlife. The Department recognizes that not all lost equipment is the result of abandonment and considers factors such as operational circumstances, historical infrastructure, environmental conditions, and whether the licence holder has maintained accountability and taken reasonable steps to recover or manage the material. Current licence conditions emphasize prevention, equipment identification, facility maintenance, seafloor clean-up, and retrieval of lost gear, helping distinguish responsible farm operations from cases of genuine abandonment and chronic non-compliance, where Fishery Officer intervention may be warranted.

Questions for AGM Attendees

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What are your top 3 shellfish aquaculture issues for potential discussion and development with DFO?

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Do not edit
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What are other topics or issues that you would like to see addressed by DFO aquaculture management?

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Your feedback is important and will help inform the ongoing prioritization and development of DFO Pacific Region aquaculture management approached.

We would appreciate receiving your responses by **Friday, November 20, 2026.**

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Annex

Additional information

DFO's Role in the Canadian Shellfish Sanitation Program

Growing-water classification, closures, interdepartmental coordination and risk-based decisions

Question from BCSGA

10. DFO's role in CSSP decisions and closures
    - Within the Canadian Shellfish Sanitation Program, how does DFO ensure that growing-water classification and closure decisions are based on the best available evidence, clearly defined risk criteria and a consistent interpretation of the respective responsibilities of the partner agencies?

DFO Response

- DFO works closely in conjunction with Canadian Shellfish Sanitation Program (CSSP) partner agencies – the Canadian Food Inspection Agency (CFIA) and Environment and Climate Change Canada (ECCC) – to deliver a shellfish sanitation program that is aimed at protecting human health and maintaining trade and market access.
- The CSSP Manual provides the operational standards and processes for program delivery nationally and was developed with best available information, considering risk, available science, and individual agency mandates.
- DFO is responsive to recommendations from CFIA (biotoxin, shellstock, and emergency closures) and ECCC (water quality and emergency closures), which consistently apply the procedures outlined in the CSSP Manual, when invoking or revoking harvest area closures.
- When there is new information, gaps, or evidence to support a change in process or amendment to the CSSP Manual, national CSSP working groups, with participation from all partner agencies regionally and nationally, are convened to analyze, develop, and recommend revised processes and procedures. The recommended amendment is approved by national CSSP Directors General.

Question from BCSGA

11. Norovirus and herring-related closures
    - What is DFO's role in reviewing the evidence and supporting decisions that result in shellfish harvesting closures, and how does DFO work with CSSP partners to ensure that restrictions are proportionate to the demonstrated risk and that reopening decisions are timely and evidence-based?

DFO Response

- The previous response applies to this question as well.
- Closures related to vessel accumulation follow the process outlined in CSSP Manual Section 6.2, Emergency Events. DFO invokes and revokes closures upon recommendation of ECCC and CFIA.
- Closures related to norovirus follow the process outlined in Section 6.4, Response to shellfish related illnesses and outbreaks.
- When following documented procedures, closure and re-opening procedures are predictable and can be actioned very quickly.

Question from BCSGA

12. Risk-based approaches to shellfish movement and recovery
    - How does DFO interpret its responsibilities under the CSSP when assessing proposals such as seed transfers, relay, or other managed movements of shellfish from restricted areas, and what scope exists to consider scientifically supported, risk-based pathways rather than treating all movements as equivalent?

DFO Response

- The *Management of Contaminated Fisheries Regulations* (MCFR) are designed to protect public health while allowing access to contaminated shellfish resources for food purposes where effective decontamination can be demonstrated. A satisfactory decontamination plan (as approved by CFIA) is the key statutory requirement supporting the Minister's authority to issue an MCFR licence for food purposes. The regulations apply to all fish species and life stages.
- Seed and broodstock may be authorized under the "food" category of an MCFR licence and are subject to requirements of a decontamination plan.