



Ministry of Agriculture and Lands

AQUACULTURE LICENCE

This certifies that **B.C. Pacific Oysters Ltd.** of **Vancouver**, British Columbia having made an application and paid the prescribed fee, is licensed pursuant to Sections 13(5) and 14(2) of the Fisheries Act (R.S.B.C. 1996, c. 149) to operate at the location described herein for the purpose of the commercial culture of the species indicated below. This licence is subject to the terms printed on the reverse, and the Development or Management Plan(s) filed with and approved by the Ministry of Agriculture and Lands. This licence is also subject to any attached additional terms and conditions.

REFERENCE	LOCATION AND LEGAL DESCRIPTION
000756	Hardy Island, Jervis Inlet UF, Group 1 New Westminster District

PLAN : SF-MW-CL SPECIES: Geoduck Clam
BIO RECOMMEND : 2004-MAR-24 Panope abrupta

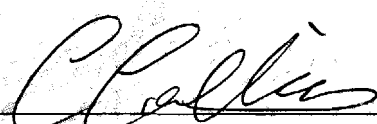
Western Blue Mussel
Mytilus trossulus

Eastern Blue Mussel
Mytilus edulis

Gallo Mussel
Mytilus galloprovincialis

Effective date: January 17, 2008

Expiry date: January 16, 2009

Per 
Minister of Agriculture and Lands

GENERAL TERMS OF AN AQUACULTURE LICENCE

1. For the purpose of this licence:

“aquatic plant” includes benthic and detached algae, marine flowering plants, brown algae, red algae, green algae and phytoplankton;

“fish” means the whole or any part of an aquatic animal, and includes but is not limited to finfish, molluscan shellfish and crustacean shellfish;

“Branch” means the Fisheries and Aquaculture Licensing and Compliance Branch of the Ministry of Agriculture, and Lands; and

“Management Plan” or “Development Plan” means plan filed with and approved by the Branch for the species and location specified on the face of the licence.

2. The holder of an Aquaculture Licence shall:

2(1) comply with each Management or Development Plan;

2(2) apply for and have approved, amendments to a Management or Development Plan before changing the mode of operation currently authorized;

2(3) culture or husband only those species authorized by this licence, and only if importation and transportation authorizations have been obtained from all competent government authorities;

2(4) take reasonable precautions to prevent the escape of cultured aquatic plants or fish (a) if transporting them on, over or through fresh or tidal waters, and (b) from the holder's aquaculture facility and from containment and attachment structures in the facility;

2(5) ensure that neither the holder nor any person acting on behalf of the holder deliberately releases cultured aquatic plants or fish from the holder's aquaculture facility, unless authorized to do so by Additional Terms and Conditions attached to this licence;

2(6) ensure that the holder or a person acting on behalf of the holder who discovers an escape, or evidence suggesting an escape, of cultured aquatic plants or fish reports the escape or evidence and the results of any authorized recapture or recapture attempt to the Manager of Aquaculture at 1-877-223-4673 within 24 hours of discovery;

2(7) ensure that the aquatic plants and fish cultivated and husbanded in the holder's aquaculture facility are given care and attention consistent with their biological requirements.

2(8) undertake at the holder's expense, reasonable and lawful husbandry practices necessary for (a) preventative predator control and (b) disease control, including that required by competent governmental authorities;

2(9) keep records adequate to allow an Aquaculture Inspector, an Inspector of Fisheries or a Conservation Officer to determine if the holder is complying with the terms of this licence, the Aquaculture Regulation and *Fisheries Act*;

2(10) make available to an Aquaculture Inspector, an Inspector of Fisheries or a Conservation Officer, the records referred to in sub-paragraph 2(9);

2(11) advise the Branch's Section Head, Licensing Unit, within a reasonable time of any change in the holder's (a) address (b) telephone or facsimile and machine number, and (c) representatives (contact person) and that person's telephone, radio telephone or facsimile machine number;

2(12) deliver to the Branch, in the form and at the interval determined by the Minister, any information required to determine compliance by the holder with the terms of this licence, the Aquaculture Regulation and *Fisheries Act*;

2(13) possess a valid processing licence before processing aquatic plants or fish within the location specified on the face of this licence;

2(14) ensure that the aquaculture facility is operated in accordance with the standards established by the Branch in consultation with industry; and

2(15) comply with all laws, bylaws and orders of any competent government authorities which affect the aquaculture facility described herein.

ADDITIONAL TERMS AND CONDITIONS

The following term & condition is in addition to the general terms of

Aquaculture Licence # 000756

issued to: **B.C. Pacific Oysters Ltd.**

The holder of this shellfish licence shall:

- a) Confine all operations to within the boundaries of the licensed area.
- b) Not place any improvements or carry out any activity on the licensed area that impacts the riparian rights of a private upland owner without first obtaining that upland owner's permission to do so.
- c) Provide reasonable public access around and through the licensed area.
- d) Seek and obtain all required additional authorizations before any foreshore modification, fill (i.e. addition of sand or gravel), or dredging is undertaken.
- e) Maintain the farm site and infrastructure in a clean, safe and orderly state.
- f) Ensure that vehicle and vessel usage does not unduly damage marine vegetation, animals or their habitat.
- g) Restrict noise and light levels to those required to conduct culture and harvesting activities.
- h) Use sound suppression devices on machinery and ensure that these devices are well maintained.
- i) Employ operational practices that minimize farm odors.
- j) Ensure that released bio-fouling does not accumulate and impact the seabed.
- k) Not undertake destructive predator control without authorization from Fisheries and Oceans Canada.

With respect to subtidal geoduck aquaculture, the licence holder or a person acting on behalf of the licence holder:

- a) Must, upon receiving this licence and prior to any harvest or seeding at the site, mark the boundaries of the licensed area with 25 lb cement blocks spaced every 50 meters and bounded by sinking ground line. Boundary marking must be maintained and visible at all times.
- b) Must not begin seeding the licensed area for the first time, until authorization has been obtained in writing by the Ministry of Agriculture and Lands (MAL). Authorization to begin seeding will not be granted by MAL until:
 - a. after a non-profit or co-management organization approved by

Fisheries and Oceans Canada (DFO) has been afforded an opportunity to conduct a pre-seeding fishery. If a pre-seeding fishery is undertaken, the duration of the fishery shall be determined by MAL in consultation with DFO, and

- b. after tissue samples from 100 individual geoducks have been collected from wild stocks within the licensed area.
- c) Must, before harvesting geoduck from the site for the first time, submit and receive approval in writing for a harvest plan acceptable to MAL in consultation with DFO. Upon approval of the harvest plan MAL (or its designate) will provide the licensee with a GEODUCK AQUACULTURE HARVEST NOTIFICATION, GEODUCK TAG INVENTORY RECORD, GEODUCK AQUACULTURE LANDING LOGBOOK and SERIAL NUMBERED TAGS.
- d) Notify MAL and DFO 72 hours prior to any geoduck harvest. A completed GEODUCK AQUACULTURE HARVEST NOTIFICATION is to be used for this purpose. All contacts identified on the notification form are to receive a facsimile or electronic mail copy of the notification. Licensees must submit an amended Notification if their harvest plans change.
- e) Attach a completed SERIAL NUMBERED TAG to each container of harvested geoducks on the vessel or beach where harvested, prior to movement off the licensed area. SERIAL NUMBERED TAGS are to be obtained in advance of harvest from MAL (or its designate). The tags are to be visible and remain in the containers of harvested geoducks until delivered to a registered shellfish processing plant. Disposition of tag numbers must be recorded on a GEODUCK TAG INVENTORY RECORD. GEODUCK TAG INVENTORY RECORDS must be kept up to date and are to be made available for inspection by Fisheries Inspectors upon request. Lost or stolen tags are to be reported to MAL immediately.
- f) Complete an approved GEODUCK AQUACULTURE LANDING LOGBOOK form for each shipment landed. A copy of the completed landing log must accompany each shipment of harvested geoducks from the vessel or beach landing site, to the processing plant. Licensees are responsible for ensuring a scale, legal for trade, is used to obtain accurate weights of geoducks landed. A copy of each day's Landing Logbook form(s) must be faxed to the Fisheries Statistics Unit in Victoria within 24 hours of product landing. Hardcopies of Landing Logbook forms are to be submitted to the Fisheries Statistics Unit quarterly as per Logbook instructions.
- g) All information contained on Serial Numbered Tags, the Geoduck Tag Inventory Record, or the Geoduck Aquaculture Landing Logbook may be shared with DFO and used for enforcement purposes.



BONA FIDE AQUACULTURIST CERTIFICATE

Certificate Number: 007288

THIS IS TO CERTIFY THAT B.C. Pacific Oysters Ltd. is a Bona Fide Aquaculturist as described in Section 2.37 of the Social Service Tax Act Regulations, B.C. Reg. 84/58.

"(2) For the purpose of Section 4 (1)(c.1) of the Act, "bona fide aquaculturist" means a person carrying on an aquaculture business who has

(a) an aquaculture licence issued under Section 13 (4.1) of the Fisheries Act, and

(b) a certificate valid for 12 months from its effective date issued by Ministry of Agriculture and Lands, certifying that the person

(i) during the immediately preceding calendar year produced primary aquaculture products with a gross market value of production at the producer's place of production of not less than \$7,500, or

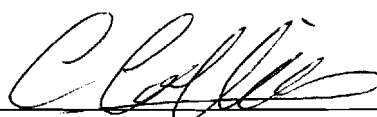
(ii) is adhering to a development or management plan approved by the Ministry of Agriculture and Lands containing

(A) a description of the type of primary aquaculture production that will occur, and

(B) an estimate that the gross market value of primary aquaculture production at the producer's place of production is expected by that person to exceed \$7,500 in the calendar year of the approval of the development or management plan or in one of the 4 calendar years following that approval.

Effective Date: February 03, 2008

Expiry Date: February 02, 2009


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Ministry of Agriculture and Lands