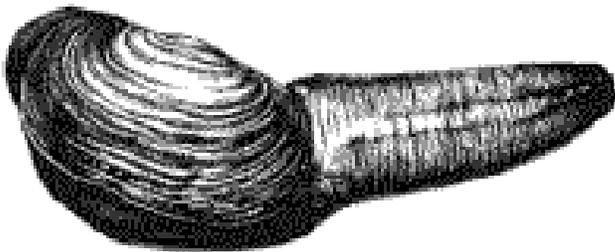


PACIFIC REGION

INTEGRATED FISHERIES MANAGEMENT PLAN

GEODUCK AND HORSE CLAM

**MAY 1, 2022 TO
APRIL 15, 2023**



Geoduck clam: *Panopea generosa*



Horse clam: *Tresus spp*



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This Integrated Fisheries Management Plan is intended for general purposes only. Where there is a discrepancy between the Plan and the Fisheries Act and Regulations, the Act and Regulations are the final authority. A description of Areas and Subareas referenced in this Plan can be found in the Pacific Fishery Management Area Regulations.

FOREWORD

The purpose of this Integrated Fisheries Management Plan (IFMP) is to identify the main objectives and requirements for the Geoduck and Horse Clam fishery in the Pacific Region, as well as the management measures that will be used to achieve these objectives. This document also serves to communicate the basic information on the fishery and its management to Fisheries and Oceans Canada (DFO) staff, legislated co-management boards and other stakeholders. This IFMP provides a common understanding of the basic “rules” for the sustainable management of the fisheries resource.

This IFMP is not a legally binding instrument which can form the basis of a legal challenge. The IFMP can be modified at any time and does not fetter the Minister's discretionary powers set out in the *Fisheries Act*. The Minister can, for reasons of conservation or for any other valid reasons, modify any provision of the IFMP in accordance with the powers granted pursuant to the *Fisheries Act*.

Where DFO is responsible for implementing obligations under land claims agreements, the IFMP will be implemented in a manner consistent with these obligations. In the event that an IFMP is inconsistent with obligations under land claims agreements, the provisions of the land claims agreements will prevail to the extent of the inconsistency.



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1. OVERVIEW

1.1. Introduction

This IFMP for Geoduck and Horse Clam covers the period May 1, 2022 to April 15, 2023.

The IFMP provides a broad context to the management and interrelationships of all fishing sectors of the Geoduck and Horse Clam dive fisheries. Section 2 considers present stock status. Section 4 describes the most important current management issues. Section 5 describes the objectives to address issues identified in Section 4. Sections 6 and 7 describe the management procedures that will be employed during the year.

Information in addition to that presented here is available in the Canadian Manuscript Report of Fisheries and Aquatic Sciences series (Harbo and Wylie 2006). A detailed history of the commercial Geoduck and Horse Clam fisheries, quotas, landings, number of participants, numbers of licences and vessels, values and reasons for management decisions, is contained in Appendix 1, Post-Season Reviews. A Science Response for Geoduck is available from the Canadian Science Advisory Secretariat (CSAS) Internet site at:

https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2021/2021_035-eng.html

Note that Appendices 3 to 5 detail the Aboriginal, recreational and aquaculture harvest plans. The commercial harvest plan is detailed in Appendices 6 through 14.

The term “clam” is used throughout this plan and refers to both Geoduck and Horse Clam.

1.2. History

The word Geoduck is believed to originate from the Coast Salish First Nations word, *g^wideq* meaning ‘dig deep’. The commercial dive fishery for Geoducks (*Panopea generosa*) and Horse Clams (*Tresus capax* and *T. nuttallii*) in B.C. began in 1976. The fishery expanded rapidly until 1979 when licences were limited and harvest quotas were set for conservation. In 1989, with the support of the commercial industry, a management program with individual vessel quotas (IQ or IVQ) for Geoducks was initiated. As part of this initiative, area licensing and a three-year area rotation period for the fishery, was established. Geoduck licence quotas were set at 1/55 of the annual commercial total allowable catch (TAC).

Horse Clams, generally harvested incidentally to Geoducks, were not included in the IVQ system. An “experimental” Horse Clam fishery began in 2003 and opportunities will continue. This fishery was designed to test the market for Horse Clams, and provide harvest and biological information needed to do further assessments of this fishery. The current low levels of harvest and the low price per pound has resulted in little market development.

1.3. Type of Fishery and Participants

1.3.1. First Nations

Aboriginal harvest for food, social and ceremonial (FSC) purposes may occur coast-wide where authorized by a communal licence or, domestic use under treaty, a harvest document and where open under the Canadian Shellfish Sanitation Program (CSSP), Appendix 6, section 3. Communal licences and harvest documents may be issued annually in the Pacific Region that includes harvest for a number of shellfish species. There are an unknown number of Aboriginal harvesters for

Geoduck and Horse Clam in the Pacific Region. The fishing effort for FSC purposes is thought to be minimal, due to the general inaccessibility of these deep-water clams.

1.3.2. Recreational

A recreational fishery may occur coastwide and where open under the CSSP, Appendix 6, section 3. A British Columbia Tidal Waters Sport Fishing Licence is required for the recreational harvest of all species of fish including shellfish. Tidal Waters Sport Fishing Licences can be purchased at many tackle stores and marinas or online by using the DFO website:

<https://recfish-pechesportive.dfo-mpo.gc.ca/nrls-sndpp/index-eng.cfm>

The Tidal Waters licence includes access to numerous species, so the number of recreational harvesters taking advantage of the bag limit of 3 per day is unknown.

The fishing effort by recreational harvesters is thought to be minimal, due to the general inaccessibility of these deep-water clams.

1.3.3. Commercial

Geoducks and Horse Clams are harvested commercially by divers. There are 55 commercial licences.

1.3.4. Aquaculture

There has been interest in Geoduck aquaculture in B.C. since the early 1990s. Since that time, industry stakeholders and the Provincial Government have invested in developing and refining Geoduck hatchery, nursery, and culture methods in B.C.

Approximately 66 tenures are currently licenced under the *Pacific Aquaculture Regulations (PAR)* for Geoduck aquaculture. These tenures total approximately 1,310 hectares. This includes tenures licenced for intertidal, subtidal, deepwater suspended or any combination of the three types. Of the 66 tenures, only 19 are currently authorized to harvest Geoduck and only 7 tenures have reported harvest in any one year since 2011. DFO has been tracking seeding effort, up to 16 of the 66 have ever seeded at some point since 2011. See Appendix 5 for more information.

1.3.5. Enhancement

The Underwater Harvesters Association (UHA) undertook an experimental Geoduck enhancement program that started in 1995, which involved seeding several crown land subtidal sites in the Strait of Georgia. Areas seeded for enhancement purposes are not removed from access to the commercial wild fishery and are intended to increase fishery production and the recruitment of juveniles into the wild Geoduck fishery. In June 2015 the Province of B.C. did not renew the map reserve designation for the sites where enhancement work was occurring. Seeding will not be authorized on areas that do not have map reserve designation.

1.4. Location of Fishery

1.4.1. First Nations and Recreational

Aboriginal and recreational harvest may occur coastwide, where appropriately licensed, and the area is not closed as a result of sanitary or biotoxin contamination. The B.C. coast north of Cape

Caution (Areas 1 to 11 inclusive) is closed for the harvest of bivalves, unless the appropriate testing is in place to ensure safe harvest. See the Internet at:

<http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm>

1.4.2. Commercial

With the exception of permanent closures for various purposes (see Appendix 6, Section 4), and in-season changes to openings due to biotoxin contamination, the current commercial fishery occurs coastwide in units called Geoduck Management Areas (GMAs). GMAs are a defined portion of Pacific fisheries waters. Areas and Subareas, as defined in the *Pacific Fishery Management Area Regulations*, are referenced in describing GMAs. Each GMA has a name (i.e. QCA02 Cumshewa Inlet East), and is assigned a quota (see Appendices 6 and 9).

1.4.3. Aquaculture

Geoduck aquaculture occurs in the Strait of Georgia. Geoduck broodstock have been collected since 1993 and juvenile seed Geoducks have been successfully produced at licensed hatcheries. Five deep-water Geoduck areas were selected in 1995 (two sites near Marina Island, two near Savary Island, and one near Texada Island) and placed under tenure with the Province of B.C. for aquaculture.

The Department has worked with the Province of B.C. in the development of policy to guide the expansion of Geoduck aquaculture opportunities throughout B.C. consistent with the mandates of both governments. In early 2017, the Department finalized the Integrated Geoduck Management Framework (IGMF). Geoduck aquaculture, as outlined in the IGMF, represents an opportunity to diversify the economies of coastal and Indigenous communities in B.C. while maintaining the economic prosperity and long-term sustainability of the wild Geoduck fishery.

Approximately 66 aquaculture tenures currently have Geoduck on their licences. The number of these tenures actually engaged in Geoduck aquaculture is unknown at this time.

See Appendix 5 for more information.

1.4.4. Enhancement

The first harvest of enhanced Geoduck occurred as part of the South Coast Inside Waters area quota in 2007. Harvest has continued on these enhancement sites periodically since 2007. Seeding of these sites has not been authorized since June 2015 when the Province of B.C. did not renew map reserve designations for the sites. Any of these harvests are part of the regular commercial fishery.

1.5. Fishery Characteristics

1.5.1. First Nations

First Nations' harvest for FSC or domestic purposes may be open year round, subject to available sanitary and biotoxin contamination sampling and results, and is limited to the gear specified for bivalve harvest in the communal licence or Harvest Documents. Harvest should occur in waters that are classified as Approved by the Canadian Shellfish Sanitation Program, as per the *Safe Food*

for *Canadians Regulations*. Approved areas are indicated in green on the maps found at: www.dfo-mpo.gc.ca/CheckBeforeYouHarvest.

Commitment to Reconciliation

DFO is committed to the recognition and implementation of Indigenous and treaty rights related to fisheries, oceans, aquatic habitat, and marine waterways in a manner consistent with section 35 of the *Constitution Act, 1982*, the United Nations Declaration on the Rights of Indigenous peoples, and the federal Principles Respecting the Government of Canada's Relationship with Indigenous peoples. DFO-CCG Reconciliation Strategy provides a guidance document to better understand why and how reconciliation informs the work of the Department.

For further details on the United Nations Declaration on the Rights of Indigenous peoples see <https://www.justice.gc.ca/eng/declaration/index.html>

For further details on the Principles Respecting the Government of Canada's Relationship with Indigenous peoples see <https://www.justice.gc.ca/eng/cs-j-sjc/principles-principes.html>

DFO's Reconciliation Strategy can be found at <https://www.dfo-mpo.gc.ca/fisheries-peches/aboriginal-autochtones/reconciliation-eng.html>

For further details on reconciliation in British Columbia and Yukon, refer to <https://www.pac.dfo-mpo.gc.ca/abor-autoc/reconciliation-pacific-pacifique-eng.html>

Information on Indigenous fisheries and reconciliation is available at: <http://www.pac.dfo-mpo.gc.ca/abor-autoc/index-eng.html>

Information on the Government of Canada work to advance reconciliation can be found here: <https://www.rcaanc-cirnac.gc.ca/eng/1400782178444/1529183710887>

FSC Fisheries

Fish and marine resources are central to the culture, society, and well-being of First Nations and provide a critical connection to language, traditional knowledge, and health of communities. Fisheries & Oceans Canada (DFO) remains committed to respecting First Nations' Aboriginal right to fish for food, social and ceremonial (FSC) purposes, or domestic purposes under Treaty which has priority – after conservation – over other uses of the resource.

Section 35(1) of the *Constitution Act* recognizes and affirms the existing Aboriginal and Treaty rights of the Aboriginal Peoples in Canada. However, it does not specify the nature or content of the rights that are protected. In 1990, the Supreme Court of Canada issued a landmark ruling in the Sparrow decision which found that the Musqueam First Nation has an Aboriginal right to fish for food, social and ceremonial (FSC) purposes. The Supreme Court found that where an Aboriginal group has a right to fish for FSC purposes, it takes priority, after conservation, over other uses of the resource. The Supreme Court has also indicated the duty to consult with Aboriginal Peoples when their fishing rights might be affected.

The Aboriginal Fisheries Strategy (AFS) was implemented in 1992 to address several objectives related to First Nations and their access to the resource. These included:

- Improving relations with First Nations

- Providing a framework for the management of the First Nations fishery in a manner that was consistent with the Supreme Court of Canada's 1990 *Sparrow* decision
- Greater involvement of First Nations in the management of fisheries
- Increased participation in commercial fisheries (Allocation Transfer Program (ATP))

AFS continues to be one of the principal mechanisms – in addition to Treaties and reconciliation agreements - to support the development of relationships with First Nations including the consultation, planning and implementation of fisheries, and the development of capacity to undertake fisheries management, stock assessment, enhancement and habitat protection programs.

Canada and First Nation Long-term agreements: Treaties and Reconciliation Agreements

Court-defined Rights

Five Nuu-chah-nulth First Nations located on the west coast of Vancouver Island - Ahousaht, Ehattesaht, Hesquiaht, Mowachaht/Muchalaht, and Tla-o-qui-aht (the Five Nations) – have an Aboriginal right to fish for any species, with the exception of Geoduck, within their court-defined fishing territories and to sell that fish. It is important to note that access will align with SARA prohibitions.

Treaties and Self Government Agreements

There are six modern treaties and self-government agreements in British Columbia, which all have fisheries chapters: Nisga'a Final Agreement, Tsawwassen First Nation Final Agreement (TFA), Maa-nulth First Nations Final Agreement (MNA), Tla'amin (Sliammon) Nation Final Agreement, Sechelt Self-government Act, and Westbank First Nation Self-government Agreement. Through these treaties, Nations work with DFO to manage treaty fisheries on an annual basis. There are also historic treaties in British Columbia (Douglas Treaties and Treaty 8). For a detailed list of long-term fisheries arrangements in BC and Yukon, please see the internet at <https://www.pac.dfo-mpo.gc.ca/abor-autoc/treaty-traites-eng.html>.

Fisheries chapters in modern treaties may articulate a treaty fishing right for domestic purposes that are protected under Section 35 of the *Constitution Act*, 1982. Negotiated through a side agreement, some modern treaty First Nations have commercial access through a Harvest Agreement outside of the constitutionally protected treaty. Geoduck were unallocated under the Maa-nulth, Tsawwassen, Tla'amin and Nisga'a Treaties.

Reconciliation Agreements

In addition to negotiating treaties, the Government of Canada and Indigenous peoples can also negotiate Recognition of Indigenous Rights and Self-Determination (RIRSD) agreements, to explore new ways of working together to advance the recognition of Indigenous rights and self-determination. These agreements are led by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC). With participation from relevant departments, DFO can also negotiate Fisheries Resources Reconciliation Agreements directly with First Nations to advance reconciliation with First Nations. These agreements seek to advance reconciliation and enhance First Nations and DFO collaborative governance and management on fisheries, marine and aquatic matters.

Reconciliation agreements work within the legislative framework of the Fisheries Act. The Act provides the Minister of Fisheries and Oceans Canada with the legislative authority for the proper management and control of the fisheries, the conservation and protection of fish, and regulation of the fishery.

Since 2019, the Government of Canada entered into several agreements with First Nations that lay the foundation for incremental development and implementation of new arrangements for collaborative governance on fisheries and marine matters. A ‘framework agreement’ sets out the subject matter for negotiation and describes how negotiations will proceed towards a final agreement. A ‘final agreement’ includes detailed commitments the Parties have agreed to implementing and governs the relationship between the Parties for its term.

See the BC Treaty Commission at <https://www.bctreaty.ca/index.php> and CIRNAC for more information on current treaty tables at <https://www.rcaanc-cirnac.gc.ca/eng/1100100028574/1529354437231> and for current RIRSD tables at <https://www.rcaanc-cirnac.gc.ca/eng/1511969222951/1529103469169>.

Framework Agreements:

- *GayGahlda “Changing Tide” Framework Agreement* between Haida and Canada
- *Haitcistut Incremental House Post Agreement* between Heiltsuk and Canada
- *Reconciliation Framework Agreement for Fisheries Resources* between A-Tlegay Member Nations (We Wai Kai Nation, Wei Wai Kum First Nation, Kwiakah First Nation, Tlowitsis Nation, and K’ómoks First Nation) and Canada

Final Agreements:

- *Coastal First Nations Fisheries Resource Reconciliation Agreement* between Canada and Metlakatla, Gitxaala, Gitga’at, Kitasoo/Xai-Xais, Nuxalk, Heiltsuk, Wuikinuxv, and Haida Nations
- *Gwet’sen Nilt’I Pathway Agreement* between T̓silhqot’in, Canada and BC
- *Burrard Inlet Environmental Science and Stewardship Agreement* between Tsleil-Waututh Nation and Canada

As DFO and First Nations develop and implement new fisheries and collaborative governance arrangements, DFO works with these Nations to engage neighbouring First Nations and stakeholders (e.g. commercial and recreational sectors).

1.5.2. Recreational

The recreational fishery may be open year round, based on available sanitary and biotoxins contamination sampling and results, and is limited to hand digging methods. Commercial gear (“stingers”) cannot be used for recreational harvest. Harvest should occur in waters that are classified as Approved by the Canadian Shellfish Sanitation Program, as per the *Safe Food for Canadians Regulations*. Approved areas are indicated in green on the maps found at www.dfo-mpo.gc.ca/CheckBeforeYouHarvest.

1.5.3. Commercial

The commercial licence year will be from May 1, 2022 to April 15, 2023. The fishery may open and close during that timeframe based on sanitary and biotoxin contamination conditions, market

demand and quota completion. Divers use high pressure water delivered through a nozzle (known as a “stinger”) to loosen the substrate around the clam and allow the diver to lift the clam out alive. The schedule of openings and closures varies from year to year, but the goal is to allow for a year-round supply of Geoducks to the market.

The fishery operates under a Total Allowable Catch (TAC). There is a three-year area rotation period for the fishery within the North Coast and most of the Inside Waters area (portions of Area 16, 17, 18 and 19 are fished annually). The West Coast of Vancouver Island (WCVI) area switched back to an annual harvest for all areas in 2002, when more timely information on the possible impact of sea otters was needed.

1.6. Governance

The Geoduck and Horse Clam fishery is governed by the *Fisheries Act* (R.S., 1985, c. F-14) and regulations made thereunder, including the *Fishery (General) Regulations* (e.g. conditions of licence), the *Pacific Fishery Regulations* (e.g. open times), the *British Columbia Sport Fishing Regulations* (1996), the *Aboriginal Communal Fishing Licences Regulations*, *Marine Mammal Regulations* and the *Pacific Aquaculture Regulations*. Areas and Subareas are described in the *Pacific Fishery Management Area Regulations*.

Marine Protected Areas (MPAs) may be established under the *Oceans Act* (1996, c. 31). National Marine Conservation Areas may be established under the *Canada National Marine Conservation Areas Act* (2002, c. 18). Marine National Wildlife Areas may be established under the *Canada Wildlife Act* (1985, c. W-9).

Species listed as extirpated, endangered, threatened or special concern are governed by the *Species At Risk Act* (2002, c. 29) (*SARA*) which has implications for the management of fisheries that impact listed species. In addition to prohibitions under the *Fisheries Act*, it is illegal under the *SARA* to kill, harm, harass, capture, take, possess, collect, buy, sell or trade any listed endangered or threatened animal or any part or derivative of an individual.

These documents are available on the internet at:

<https://www.dfo-mpo.gc.ca/acts-lois/index-eng.htm>

More information on the *SARA* is available at:

<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html>

In addition, the Sustainable Fisheries Framework (SFF) is a toolbox of policies for DFO to sustainably manage Canadian fisheries by conserving fish stocks while supporting the industries that rely on healthy fish populations. The SFF provides planning and operational tools that allow these goals to be achieved in a clear, predictable, transparent, and inclusive manner, and provides the foundation for new conservation policies to implement the ecosystem and precautionary approaches to fisheries management. These policies include:

- Policy for Managing the Impacts of Fishing on Sensitive Benthic Areas;
- Policy on New Fisheries for Forage Species;
- A Fishery Decision-Making Framework Incorporating the Precautionary Approach;
- Guidance for the Development of Rebuilding Plans under the Precautionary Approach Framework: Growing Stocks out of the Critical Zone;
- Policy on Managing Bycatch;

- Ecological Risk Assessment Framework (ERAF) for Coldwater Corals and Sponge Dominated Communities; and
- Fishery Monitoring Policy.

As required under the SFF, DFO annually tracks the performance of major fish stocks that it manages through the sustainability survey for fisheries. The fish stocks are selected for their economic, environmental and/or cultural importance. The vast majority of the landings from fisheries managed by DFO come from these fish stocks. The survey reports on DFO's progress to implement its SFF policies, which guide the management of Canada's fisheries, and on other information about these fish stocks.

DFO engages in a variety of consultation, engagement and collaborative harvest planning processes with First Nations. These exchanges and involvement may include bilateral consultations, advisory processes, management boards, technical groups and other roundtable forums. Consultation is an important part of good governance, sound policy development and decision-making. It is also a component of modern treaties established between First Nations and the provincial and federal governments. In addition to good governance objectives, Canada has statutory, contractual, and common law obligations to consult with Aboriginal groups.

DFO is actively supporting reconciliation by strengthening relationships with First Nations through treaties and other long-term agreements.

The Sustainable Fisheries Framework is available at:

<https://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/overview-cadre-eng.htm>

Sustainability surveys for fisheries are available at:

<https://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/survey-sondage/index-en.html>

Information about reconciliation and partnerships is available at:

<https://www.pac.dfo-mpo.gc.ca/abor-autoc/index-eng.html>

Scientific advice for this fishery is peer-reviewed primarily through a committee called the Canadian Science Advisory Secretariat (CSAS). Information about the CSAS and publications are available at:

<http://www.dfo-mpo.gc.ca/csas-sccs/index-eng.htm>

The Geoduck and Horse Clam Sectoral Committee is the primary body guiding management decision-making processes for this fishery. Others include a Research Subcommittee, and 'quota area committees' for the North Coast, Inside Waters and West Coast Vancouver Island (WCVI). See Appendix 17.

1.7. Approval Process

The Regional Director General for the Pacific Region approves this plan.

2. STOCK ASSESSMENT, SCIENCE AND TRADITIONAL KNOWLEDGE

2.1. Geoduck

2.1.1. Biological Synopsis

The Geoduck clam (*Panopea generosa*) occurs from Alaska to the Gulf of California in the northeast Pacific, from the intertidal zone to depths of at least 110 metres. It buries itself up to a metre deep in sand, silt, gravel and other soft substrates.

Geoducks have separate sexes. Spawning occurs annually, primarily from June to July. Females release from 7 to 10 million eggs, after fertilization, larvae develop in the water column for 40 to 50 days before settling on the bottom. At a shell length of 2mm, juvenile Geoducks burrow into the substrate and can bury to a refuge depth of 60cm in two years. Mature sex organs are found in clams ranging from 2 to 107 years old, suggesting that individuals may be capable of reproducing for over a century.

Geoducks are among the longest-lived animals in the world and can reach over 150 years of age. They grow rapidly in the first 10 to 15 years, after which time growth in shell length almost ceases and is replaced by a thickening of the shell and a slow increase in body weight. Geoducks begin to recruit to the fishery at age 4 and are fully recruited at 6 to 12 years.

2.1.2. Ecosystem Interactions

Geoduck and Horse Clam populations can overlap the distribution of eelgrass beds. Eelgrass beds are recognized as sensitive habitat and are critical for many fish and shellfish species for at least part of their lifecycle. No wild commercial harvesting is permitted within eelgrass beds.

Geoducks are consumed by Sea Otters. Along the WCVI, from Clayoquot Sound northward, and in portions of the Central Coast, Sea Otters have established themselves in sufficient numbers to have an impact on Geoduck populations and on fish harvesters' ability to harvest quotas.

The exact role of geoduck within the ecosystem, other than a prey item, is largely unknown.

2.1.3. Indigenous Knowledge

In 2019, the *Fisheries Act* was amended to include provisions for the where the Minister may, or shall consider provided Indigenous knowledge in making decisions pertaining to fisheries, fish and fish habitat, as well as provisions for the additional protection of that knowledge when shared in confidence.

The term Indigenous knowledge may not be universally used, and other terms such as Indigenous Knowledge Systems, Traditional Knowledge, Traditional Ecological Knowledge, or Aboriginal Traditional Knowledge, which all convey similar concepts, may be used instead.

Indigenous knowledge can inform and fill knowledge gaps related to the health of fish stocks, and aid decision making related to fisheries management. The Government of Canada and the scientific community acknowledge the need to access and incorporate IK in meaningful and respectful ways. Work is underway at a National level to develop processes for how DFO receives Indigenous knowledge and applies it to inform decision making. This will include consideration of how to engage knowledge holders, and how to ensure that the knowledge can be shared and considered in a mutually acceptable manner by both knowledge holders and the broader community of First

Nations, stakeholders, managers, and policy makers involved in the fisheries. This work will be an iterative process done in collaboration with First Nations, Indigenous groups and knowledge holders, to ensure protection of the knowledge provided.

2.1.4. Traditional Ecological Knowledge

Traditional Ecological Knowledge in the form of observations and comments collected from commercial divers and patrolmen over many years contributes to decisions on scientific survey locations and is considered in management decisions.

2.1.5. Stock Assessment

Since the early 1980s, a long-term approach has been used in the management of Geoduck stocks. Annual harvest rates were originally set at 1% of the estimated unfished (pre-fishery) biomass, with the objective of taking no more than that replaced by recruitment of juveniles into the population. Starting with the 2007 fishery year, Geoduck harvest options were calculated using regional exploitation rates, ranging from 1.2 to 1.8%, applied to the range of current biomass estimates of each bed (Zhang and Hand 2007). The use of current biomass for harvest option calculations eliminates the uncertainties around estimating unfished biomass.

Harvestable biomass is estimated as the product of harvestable bed area, Geoduck density and mean Geoduck weight on each bed. Bed area is estimated through harvest locations, substrate and dive surveys, and feedback from On-Grounds Monitors and harvesters at meetings and through logbook questionnaires. Density is estimated by dive surveys. Mean weight is estimated from landings data. Biomass on un-surveyed beds is estimated by extrapolating from surveyed beds and using density categories where appropriate. The harvest rate multiplied by the biomass estimates yields harvest options.

The latest Geoduck stock status updates (DFO 2020, 2021) are available on the Canadian Science Advisory Secretariat web site (<https://www.dfo-mpo.gc.ca/csas-sccs/index-eng.htm>).

http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2020/2020_054-eng.html

https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2021/2021_007-eng.html

2.1.6. Stock Scenarios

The prospect for this fishery is that it is sustainable under the current assessment and management framework. Reductions in stocks are expected from Sea Otter predation as Sea Otter populations increase and expand. Ongoing marine spatial planning initiatives may impact access to Geoduck stocks in the future and would therefore have an impact on quotas.

Continued improvement in the estimates of Geoduck density and bed area are anticipated through the results of on-going surveys, better and more detailed bed descriptions and locations from harvesters in logbooks (aided by GPS technology) and on-grounds monitor reports.

There are large numbers of Geoducks that inhabit natural refugia. These include deep water stocks (as divers are limited to depths of around 20 meters) and shallow water stocks (harvest is restricted to outside eelgrass beds and deeper than 3 meters datum), populations in gravel- or shell-packed substrates from which Geoducks are difficult to extract, individuals considered aesthetically inferior and unacceptable to the market, and stocks in contaminated areas and areas closed for various purposes (i.e. research, parks, sea otter protection, sea bird protection etc.). These form a

protected breeding pool that is exclusive of the harvestable population. In addition, the ability of Geoducks to retract their necks in response to disturbance serves to protect a portion of the harvestable population.

Experimental work on the effect of fishing on recruitment has found that recruitment to an area is similar between heavily and lightly harvested populations (Campbell and Ming 2003). Age compositions from biological samples and reports from fish harvesters indicate that there has been strong recruitment in recent years in some Geoduck beds.

2.1.7. Precautionary Approach

In general, the precautionary approach in fisheries management is about being cautious when scientific knowledge is uncertain, and not using the absence of adequate scientific information as a reason to postpone action or failure to take action to avoid serious harm to fish stocks or their ecosystem. This approach is widely accepted internationally as an essential part of sustainable fisheries management.

Applying the precautionary approach to fisheries management decisions entails establishing a harvest strategy that:

- identifies three stock status zones – healthy, cautious, and critical – according to upper stock reference points and limit reference points;
- sets the removal rate at which fish may be harvested within each stock status zone; and
- adjusts the removal rate according to fish stock status variations (i.e., spawning stock biomass or another index/metric relevant to population productivity), based on pre-agreed decision rules.

The framework requires that a harvest strategy be incorporated into respective fisheries management plans to keep the removal rate moderate when the stock status is healthy, to promote rebuilding when stock status is low, and to ensure a low risk of serious or irreversible harm to the stock. A key component of the Precautionary Approach Framework requires that when a stock has declined to the Critical Zone, a rebuilding plan must be in place with the aim of having a high probability of the stock growing out of the Critical Zone within a reasonable timeframe.

<http://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/precautionary-precaution-eng.htm>

Amendments to the *Fisheries Act* (Bill C-68) were passed into legislation in 2019 and include new authorities to amend the *Fishery (General) Regulations* and requirements to maintain major fish stocks at sustainable levels, and develop and implement rebuilding plans for stocks that have declined to their critical zone. The proposed regulatory amendments draw upon the 2013 *Guidance for the development of rebuilding plans under the Precautionary Approach Framework: Growing stocks out of the critical zone*.

Information on the regulatory proposal regarding fish stocks and rebuilding plans is available at:

<http://www.dfo-mpo.gc.ca/fisheries-peches/consultation/consult-maj-pri-eng.html>

Harvest Control Rules (HCR) compliant with the Precautionary Approach (PA) have been developed for the Geoduck Fishery.

The Geoduck Stock Assessment Framework (Bureau et al. 2012) describes the Limit Reference Point currently in use for the B.C. Geoduck fishery. Currently, the Limit Reference Point is used as a management measure consisting of closing harvest on a bed if the current biomass on the bed

falls below 40% of estimated unfished biomass. The stock index for each Geoduck bed (defined as the ratio of current biomass over unfished biomass) is estimated yearly when bed biomass estimates are updated. Bed for which the stock index falls below 0.4 are closed to harvest until they are surveyed and assessed as having recovered above the Limit Reference Point. Details of methods used to estimate unfished biomass were provided in Bureau (2017).

Under the precautionary approach the Upper Stock Reference (USR) for the Geoduck stock will be defined as the total coastwide current biomass being equal to 50% of total coastwide unfished biomass.

2.1.8. Research

Research studies to investigate aspects of recruitment, growth and the response of Geoduck populations to fishing were initiated in the early 1990s in selected sites in the Strait of Georgia and the WCVI (Campbell et al 2004, Zhang and Campbell 2004). Since Geoducks are long-lived and the recruitment process slow, these experiments are on-going.

DFO, the Underwater Harvesters Association (UHA), and First Nations have conducted surveys since 1992 to estimate Geoduck density. To date, over 200 surveys have been conducted coast-wide. Biological samples are collected on some surveys, and age compositions and growth parameters are obtained from them (Bureau et al 2002, 2003). Published survey reports form part of the Canadian Technical Report of Fisheries and Aquatic Sciences series (Campbell et al 1995a, 1995b, 1998; Babuin et al 2006; Hand et al 1998) and the Canadian Manuscript Report of Fisheries and Aquatic Sciences series (Hand and Dovey 1999, 2000). See the References in Section 11, or the Internet at:

<http://www.isdm-gdsi.gc.ca/csas-sccs/applications/Publications/index-eng.asp>

The availability of this substantial accumulation of biological information warranted a new assessment of the Geoduck stocks and re-evaluation of harvest rates in B.C. Age-structured projection modelling was conducted to investigate the impacts of alternative exploitation intensities on estimates of current, rather than virgin, Geoduck populations. Recommendations, presented to the PSARC Invertebrate Subcommittee in November 2005 (Zhang and Hand 2007), were that exploitation rates of 1.2% on the WCVI, 1.6% in Haida Gwaii and 1.8% to the rest of the coast be applied. On the WCVI, 1.8% was used in areas impacted by otters. Considering the high rate of otter predation, the difference between 1.2% and 1.8% in the commercial fishery was judged to be negligible.

2.2. Horse Clam

2.2.1. Biological Synopsis

Two species of Horse Clams (also known as gaper clams), *Tresus capax* and *Tresus nuttallii* occur commonly along the west coast of North America from California to Alaska. The Horse Clams live in mud, sand and gravel substrates. *T. nuttallii* is found from the low intertidal to the subtidal depths of 50 m, buried to a depth of 1m, whereas *T. capax* is found from mid-intertidal to subtidal to depths of 30m, but may not be buried as deep in the subtidal (Lauzier, 1998).

Both species of Horse clams have separate sexes. Spawning occurs at different times for the two species. *T. Capax* typically spawns at seasonal low temperatures and the process begins at progressively later dates moving south to north, between January and April. *T. nuttallii* is typically

a summer spawner occurring between April and August. It is believed that the larvae for both species settle after about 30 days, depending on the temperature.

The maximum ages observed in B.C. are 18 and 22 years, for *T. capax* and *T. nuttallii*, respectively.

2.2.2. Assessment

While Geoduck do occur intertidally and can be harvested it is generally believed, by DFO, that even though Aboriginal and recreational harvesters are targeting Geoduck, they may be more likely to catch Horse Clams when harvesting in shallow and intertidal areas.

Due to a lack of stock assessment information, the commercial fishery for Horse Clams has been limited since 1992 to an incidental fishery open only when the Geoduck fishery is open. Studies on the productivity of Horse Clam stocks and preliminary abundance (Zhang, 2000) surveys led to two pilot fisheries for Horse Clams, one at Comox Bar in the Strait of Georgia and another in Lemmens Inlet on the WCVI. These closely monitored fisheries began in 2003, and the Comox Bar fishery continues to date. The Lemmens Inlet fishery was discontinued as the substrate at harvestable depths was not easily fished.

The Comox Bar area was re-surveyed in 2007 and 2017. The fishery has an assigned quota of 20,500 lb. (9,300 kg). Market feedback to date indicates the fishery is not profitable with the current quota and the monitoring and survey requirements that are funded by the UHA. The survey and fishery data will provide some insight into stock response to harvest and the market receptiveness to the product.

The prospect for this fishery is that it is sustainable under the current TAC and management framework. Harvestable beds with sufficient quantities of Horse Clams to make the survey requirements economic appear to be very limited at this time. Horse Clams tend to be widely distributed and are often found in areas of eelgrass, and thus are often not available to the commercial fishery.

3. SOCIAL CULTURAL AND ECONOMIC IMPORTANCE

3.1. Socio-Economic Profile

The Pacific Region has the only commercial Geoduck fishery within Canada. In this fishery, harvested Geoducks are shipped to processing plants where they are packed and delivered live to Asian markets. This is a high-value fishery.

From 2015 to 2019, Geoducks accounted for an average of 9% of the shellfish harvest by weight and an average of 28% of the total shellfish landed value (DFO Data, logbooks and sales slips). In 2019 alone, Geoducks represented 8% of the total volume of shellfish landings and 25% of the total ex-vessel value (DFO Data, logbooks, sales slips). Please note that economic analyses are conducted by calendar year, not fishing year. Values will differ depending on the type of year used.

The commercial Geoduck fishery includes the harvest sector and the processing sector (including export activities). These activities provide benefits to the individual businesses (producer surplus or economic profits) and also contribute directly and indirectly to the economy through expenditures on labour, supplies and services. The Geoduck fishery accounts for about \$589,000 dollars in processing sector wages. It constitutes about 4% of all wild shellfish direct labour processing costs (and 4% of direct labour processing hours) (GSGislason & Associates Ltd., 2017).

There is a limited recreational and First Nations fishery for Geoduck. Clams identified as Geoduck in these fisheries are likely horse clam, which are often found in shallower, more intertidal waters and are more accessible to those that hand dig for clams.

Coast-wide landings of Geoducks peaked in 1987 at 12.7 million lb. (5,735 t), but as a result of decreasing TAC, landings decreased and averaged approximately 3.96 million lb. (1,798 t) between 1996 and 2004. The drop in TAC was a result of stock assessments and increasingly conservative management strategies. A subsequent decrease in TAC brought annual landings between 2005 and 2011 to 3.44 million lb. (1,559 t). In 2012, the allocated quota was reduced by a further 4% to 3.30 million lb. (1,497 t) and remained at this level to 2015. In 2016 the TAC was further reduced to 3.08 million lb. (1,397 t) and it remained the same through to 2019. The Geoduck TAC is fully harvested.

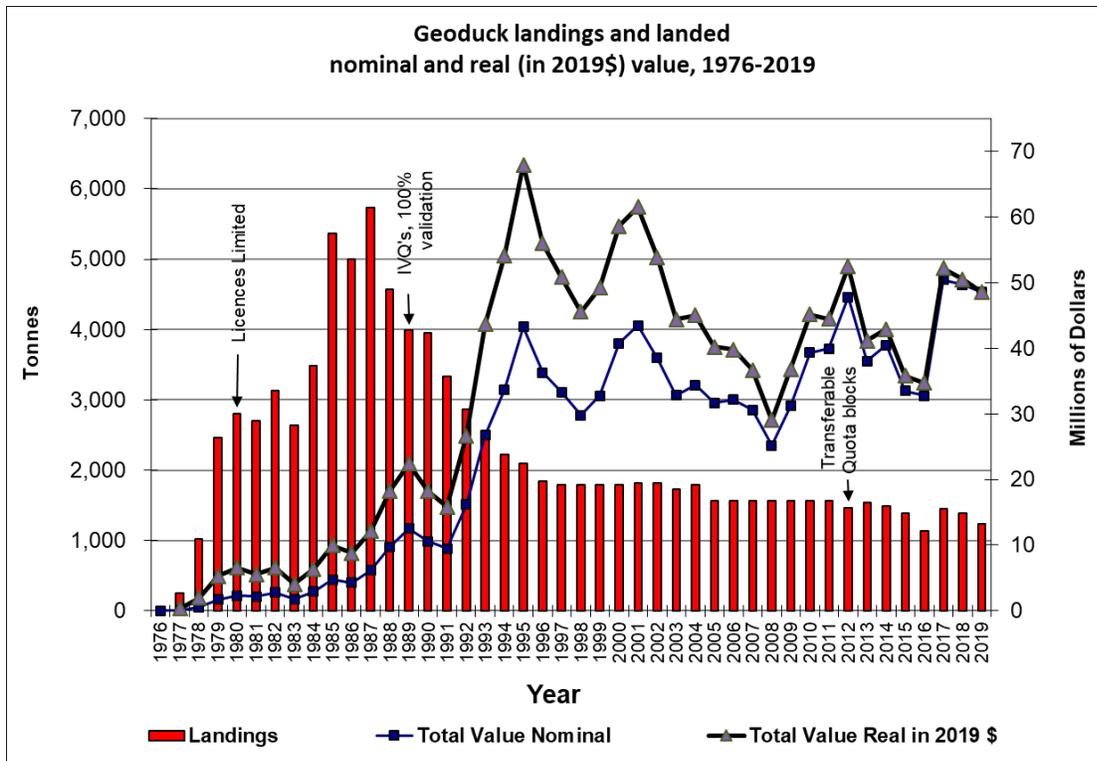
The commercial Geoduck fishery in BC has been a limited access fishery since 1979, with individual vessel quotas introduced in 1989. Each of the 55 licences were allocated 1/55 (1.8%) of the total allocated quota and the quota could not be separated from the licence. In 2012, a pilot program divided the quota for each licence into ten tradable blocks (1/550th of the TAC). In 2019 there were 5 communal commercial licences allocated to First Nations.

Figure 3.1 below presents total landings, nominal and real values for years 1976 to 2019. The nominal price paid to fish harvesters for Geoduck has increased significantly since the inception of the fishery in 1976. Then the average price paid was 7.5 cents per pound and the product was frozen and used locally for bait, clam chowder, and clam fritters. Price increased with a shift to live Geoducks and strong economic growth in the major markets of Hong Kong and the People's Republic of China. Over the years, there have been several price peaks for Geoduck including: 1995 (\$20.63/kg), 2001 (\$23.88/kg), 2012 (\$32.74/kg) and more recently 2019 (\$39.33/kg). Adjusting the prices to account for inflation (i.e. putting all prices in 2019 dollars) shows a similar pattern, although the price differences between the peaks are smaller: 1995 (\$32.39/kg), 2001 (\$33.77/kg), 2012 (\$35.98/kg), and 2019 (\$39.33/kg) (DFO Data, logbooks, sales slips).

Prices dropped after 2012, but rose quickly from 2016 to 2019. One of the reasons for this recent increase in price may be significant tariffs imposed by China on US Geoduck. These tariffs were first imposed in 2018 and continued into 2019. The increased cost of US Geoduck would have resulted in increased demand for BC product, in turn driving up the price (The Seattle Times, 2019).

In 2019, the ex-vessel price for Geoduck was \$39.33/kg and the wholesale price was about \$45.10/kg (BC Seafood Year in Review 2015-2019, DFO Data, logbooks, sales slips).

Figure 3.1.



Landings were calculated based on calendar year, not harvesting season. Since 2016, the harvesting season has differed from the calendar year.

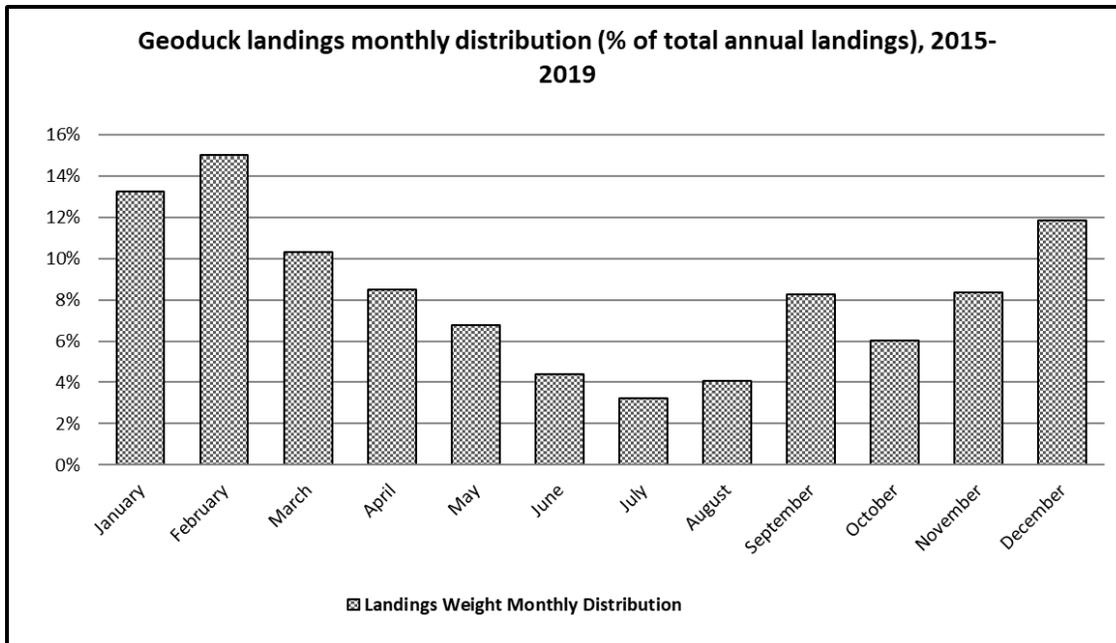
Source: DFO, Logbooks, saleslips data. 2019 - Preliminary).

3.1. Viability and Market Trends

The Geoduck fishery is one of BC’s most profitable fisheries. The profitability of the fishery is reflected in the value of the licences; value estimates exceeded \$1 million in the early 1990s, and rose quickly to exceed \$3 million in 2011 (Nelson, 2012). The separation of the licence and quota in 2012 resulted in a slight increase in the valuation for a total package (licence plus 10 quota blocks) in 2012, and larger increases in following years. In 2019, the estimated value is \$8.1 million (Castlemain, 2019). Lease rates for a licence or quota block appear to track the price for Geoduck. Lease rates peaked in 2012 (at around \$700,000 for a full G licence with 10 quota blocks) and has declined by around 11% (of that value) by 2019 (to approximately \$620,000). (Castlemain, 2019).

The commercial fishery is managed, within the TAC, to ensure stability and profitability by managing the timing of the harvest and the rate at which product enters the market. Changes in TAC occur due to new information on stock sizes that influence biomass calculations. The Underwater Harvesters Association (UHA) maintains that fluctuating TACs are interpreted by the market as lack of stability, and will influence price, and thus profit. However, constraints on TAC have been matched by price increases. Barring closures due to biotoxins or sanitary contamination, the fishery operates year-round in any given year. Landings fluctuate monthly in response to market demands and supply from other countries (Figure 3.2). The largest harvests are in the winter months (December to February), with less Geoduck landed over the summer.

Figure 3.2.



Monthly landings were calculated based on calendar year, not harvesting season. Since 2016, the harvesting season has differed from the calendar year.

Source: DFO Logbooks data for 2015-2019.

3.2. Processing & Exporting

Geoduck is harvested on the north coast, the inside waters, and the west coast of Vancouver Island. Since 1994, due to changes in stock assessment, TAC has become more concentrated in the north coast area.

Currently, all Geoduck is processed in the Lower Mainland. Processing for Geoduck is minimal with the majority exported live to Asian markets. In general, Geoduck is caught one day and packaged and shipped the following day. Since the product is consumed fresh, timeliness is very important. Vancouver is North America’s gateway to Asian markets for Geoduck and much of the U.S. harvest is shipped to Canada, packaged and re-exported to Asia. In response to demand, in 2011, China Southern Airlines opened a dedicated cargo service running from Vancouver to Shanghai to facilitate the transportation of fresh shellfish, including Geoduck. Regular dedicated air cargo service between Canada and mainland China continues.

The majority of Geoduck harvested in Canada is exported, and high-value live Geoduck accounts for over 99% of Geoduck exports both by weight and by value.

Historically, Geoduck exports have gone predominately to Hong Kong and the People’s Republic of China, with 5-year average shares of joint real value of about 88% from 2016 to 2020 (Figure 3.3 below). While in the years 2016 to 2020 the volume of Geoduck exports to China has fluctuated up and down, exports to Hong Kong have consistently increased. In the years between 2016 and 2020 the real value of Geoduck exports to Hong Kong increased by 284%, while in the same time period the value of exports to China decreased by 23%.

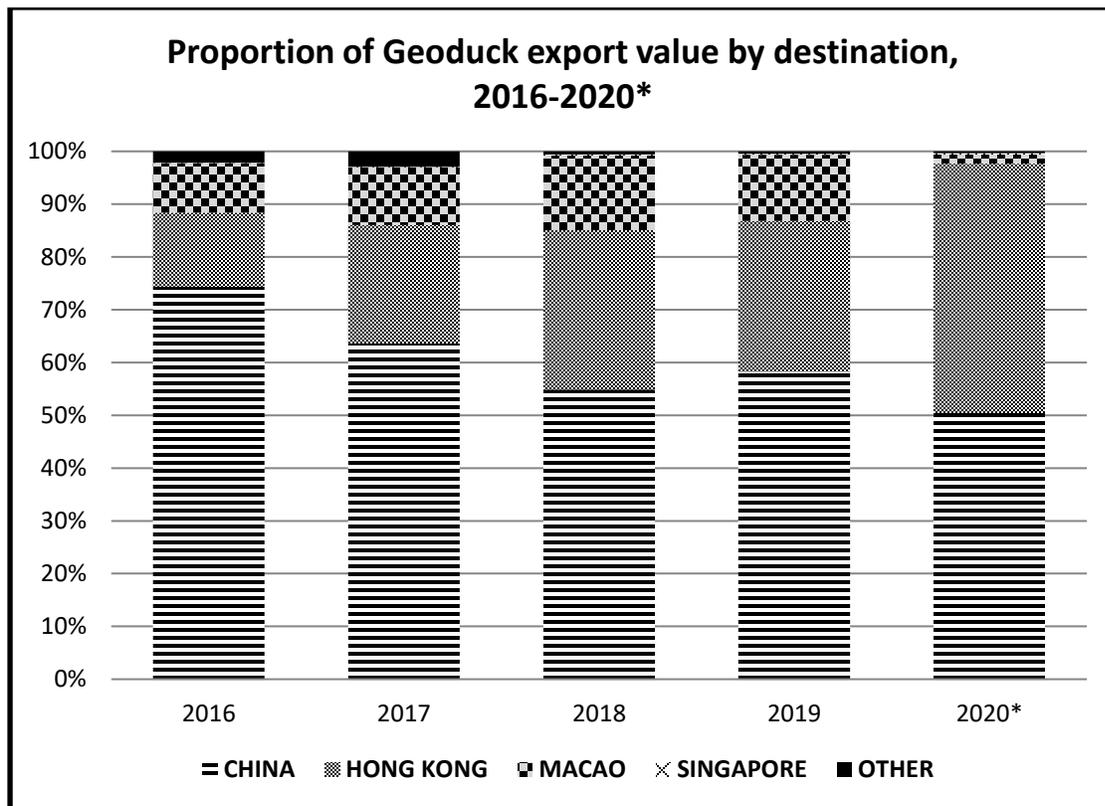
Macao has been the third most valuable destination since 2016. There has also been an increase in exports to Singapore bringing it to the fourth most valuable destination. In 2020 the real value of

Geoduck exports to Macao and Singapore was 1.8% and 0.3% of the total value of Geoduck exports, respectively. From 2016 to 2020, the real value of exports to Singapore increased 657%.

Vietnam and the United States were important export destinations from 2012 to 2017, representing 8% and 1% of the average real value of exports over those years. However, both countries have imported much less Geoduck since 2017. In 2020, the United States imported 0.02% and Vietnam imported none of BC’s export value.

The number of countries Geoduck is exported to from British Columbia decreased in 2020 to 9, compared to an average of 17 from 2016 to 2019. Figure 3.3 (below) presents the percentage of Geoduck export value by main export destination from 2016 to 2020.

Figure 3.3.



* Estimates for 2020 are to be treated as preliminary.

Export value proportions were calculated based on calendar year, not harvesting season. Since 2016, the harvesting season has differed from the calendar year.

Source: EXIM Statistics Canada export database, accessed on January 2021

The Canadian industry has two main competitors in the US: the Washington and Alaskan Geoduck fisheries. Washington is a well-established producer and harvests both wild and cultured Geoduck, while Alaska became active in the live market after 2000. In 2018, the US exported 3,811 t of domestic Geoduck valued at \$106 million USD. This constituted a 10% decrease in the volume of Geoduck exports, but a 2% increase in the value of exports as compared to year 2017 (NOAA, 2019). There has been a number of temporary bans on exports of live shellfish to China from the US northwest; however, as of June 2016, the ban on imports of live shellfish from Washington and Alaska, including Geoduck, had been lifted (Washington DOH, 2016). Mexico also entered

the market with a slightly different species in 2002, with rapid growth in supply until 2006 (GSGislason, 2012). In 2010, Mexico produced 21% of global commercial Geoduck (Cap Log Reports 2013). In 2014, the Mexican federal government published guidelines for sustainable development to regulate the Geoduck export industry, a possible indication that the Mexican Geoduck industry will be a greater competitive force against the Canadian industry in future years (FishSite, 2014).

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4. MANAGEMENT ISSUES

The following emerging issues may impact the management measures in place for the Geoduck fishery.

4.1. Conservation and Sustainability

4.1.1. Sea Otters

Along the WCVI from Clayoquot Sound northward, Central Coast areas and more recently northern Vancouver Island, Sea Otters have established themselves in sufficient numbers to have a significant impact on Geoduck populations and on harvesters' ability to harvest quotas. Sea Otters are efficient predators on Geoducks and other bottom fauna (such as urchins, crabs, and other clams), and there is concern over the effect otters will have on the Geoduck fishery in areas where otters are present. In some areas on the WCVI, Geoduck fishing has been severely curtailed due to Sea Otter predation. At the same time, some areas with Sea Otter predation appear to be experiencing good recruitment of juveniles.

4.1.2. Impacts of Climate Change

Climate change is expected to result in a variety of potential impacts, including, but not limited to, rising sea levels, loss of marine habitat, shifting distribution ranges for marine organisms and an imbalance between growth and recruitment within ecosystems. Ocean acidification is one of the climate impacts that could impact Geoduck populations in B.C. Oceans absorb anthropogenic carbon dioxide (CO₂) which increases the acidity of the water. There are concerns about the ability of marine ecosystems to adapt to acidification. Fecundity, juvenile survival and the ability to handle temperature stress may be impacted negatively by ocean acidification (Haigh et al. 2015). Another emerging issue has been higher than normal water temperatures over the last few years (Chandler et al. 2016). Higher water temperatures may also impact recruitment (increase or decrease), growth of Geoduck and may lead to increased instances of disease.

4.2. Social, Cultural and Economic

4.2.1. Biotxin

Geoduck are a bivalve that can retain biotoxins. Biotoxins (generally Paralytic Shellfish Poison, PSP or red tide) are poisonous compounds accumulated by shellfish feeding upon toxin containing dinoflagellates and marine diatoms. In recent years testing has indicated a more common presence and persistence of accumulated biotoxins. This has resulted in challenges for opening and maintaining open areas for Geoduck harvest. For the past few years, season extensions have been required to complete the quota as a result of PSP. However, if PSP continues to cause interruptions

in harvest the annual TAC may not be achieved. The added cost and effort for the required biotoxin testing has been significant for industry and government labs.

4.2.2. Geoduck Aquaculture

There is increasing interest in Geoduck aquaculture. Geoduck aquaculture has the potential to be a lucrative economic venture but also has the potential to remove significant areas from the wild fishery, thus reducing the commercial TAC. Planted Geoducks have the potential to increase the spawning biomass and potentially increase wild production but may also negatively affect the genetic diversity and disease occurrence in wild Geoduck populations, (DFO 2014).

There is also a concern that illegal harvest of wild Geoduck could be reported as coming from aquaculture which could impact the Department's ability to ensure conservation.

4.2.3. First Nations

First Nations have an interest in economic opportunity from Geoduck, both through aquaculture and through access to the wild fishery.

Access to the wild fishery is currently being addressed by two programs; the Allocation Transfer Program (ATP) and the Pacific Integrated Commercial Fishery Initiative (PICFI). These programs retire existing commercial licence eligibilities from fish harvesters, on a voluntary basis, and re-issue these to eligible First Nation organizations as communal commercial licences. The ATP program facilitates the voluntary retirement of commercial licences and the issuance of licences to eligible Indigenous commercial fishers in a manner that does not add to the existing fishing effort. The PICFI, first announced in 2007, receives \$22.05 million annually. In 2018/2019, an Aquaculture Development Source (ADS) funding envelope with an annual budget of \$1M was launched to support aquaculture projects under PICFI, and the annual budget increased to \$1.5M beginning in 2021/22.

To date the PICFI program has acquired five Geoduck licences and thirty-one (31) quota blocks. The ATP program has acquired two (2) quota blocks. All five licences and the thirty-three quota blocks have been provided to multiple First Nations.

First Nations are also purchasing their own quota blocks through private sales.

For more information on the Aboriginal Fisheries Strategy (AFS) and ATP, contact a resource manager listed in Appendix 15 or see the DFO website at:

<http://www.pac.dfo-mpo.gc.ca/abor-autoc/index-eng.html>

More information on the PICFI is available at:

<http://www.pac.dfo-mpo.gc.ca/fm-gp/picfi-ipcip/index-eng.html>

4.2.4. Recreational

Recreational fishing may occur to provide food for personal use, as a leisure activity, or as a combination of the two. The recreational community includes local residents, multi-species charter operators and lodges, and visiting anglers and boaters. In the 2020/2021 recreational angling season, 238,600 anglers were licensed to fish in BC's tidal waters recreational fishery. Most (90%) were BC residents, with the remainder being Canadians from outside BC. Due to COVID-19, no

licences were sold to visitors outside of Canada. These activities provide a range of benefits to the participants as well as contribute directly and indirectly to economic activity.

Recreational interest in harvesting shellfish species is directed mainly at crab, prawns and shrimp. The recreational harvest of Geoduck and Horse Clams is believed to be minimal.

4.3. Compliance

There are no emerging issues for enforcement other than those already highlighted in the Compliance Plan (Section 9).

4.4. Ecosystem

4.4.1. Depleted Species Concern

The *Species at Risk Act* (SARA) came into force in 2003. The purposes of the Act are “to prevent wildlife species from being extirpated or becoming extinct, to provide for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity and to manage species of special concern to prevent them from becoming endangered or threatened”. More information on SARA can be found at

<https://www.registrelep-sararegistry.gc.ca>

The Geoduck and Horse Clam fishery is a selective fishery and there are no concerns for potential impacts on depleted species such as Sea Otters. Sea Otters are listed by the *Species at Risk Act* (SARA) as a species of special concern.

In addition to the existing prohibitions under the *Fisheries Act*, under the SARA it is illegal to kill, harm, harass, capture, take, possess, collect, buy, sell or trade any listed endangered or threatened animal or any part or derivative of an individual. These prohibitions apply unless a person is authorized, by a permit, licence or other similar document issued in accordance with the SARA, to engage in an activity affecting the listed species or the residences of its individuals. Species listed as special concern are not included in these prohibitions.

Endangered, threatened, and special concern species in Pacific region currently listed under the SARA can be found at:

<http://www.dfo-mpo.gc.ca/species-especies/sara-lep/index-eng.html>.

4.4.2. Marine Mammal Regulations

The *Marine Mammal Regulations* provide direction on conservation and protection of marine mammals, provide guidance for recovery of Endangered Species under the *Species at Risk Act*, and set out provisions related to reducing human disturbance of marine mammals (e.g. viewing of marine mammals) and mandatory reporting requirements in the case there is accidental contact with a marine mammal and a vessel or fishing gear. These regulations were amended in 2018 and now specify mandatory requirements to prevent disturbance of marine mammals.

As per section 7(2) of the *Marine Mammal Regulations*, disturbance is defined as a number of human actions including:

- Feeding, swimming or interacting with a marine mammal.
- Moving a marine mammal (or enticing/causing it to move).
- Separating a marine mammal from its group or going between it and a calf.

- Trapping a marine mammal or a group either between a vessel and the shore, or between a vessel and other vessels.
- Tagging or marking a marine mammal.
- Checking nautical charts for the locations of various protected areas and no go zones.

For more information [on safe boating behavior around whales](#) please visit: [Watching Marine Mammals and Be Whale Wise](#).

Any operator of a vessel or fishing gear involved in accidental contact with a marine mammal must notify DFO of the incident, as per section 39 of the *Marine Mammal Regulations*. Incident reporting includes:

- Reporting an injured, stranded, entangled or dead marine mammal to the [BC Marine Mammal Response Network \(Observe, Record, Report\)](#)
- Reporting as bycatch in a log book
- [Reporting accidental contact through the marine mammal interaction form](#)
- Depredation reporting to DFO by email at MarineMammals@pac.dfo-mpo.gc.ca or by calling (604) 666 9965

Please note, incidents involving abuse or harassment of a marine mammal should be reported as a [fisheries violation](#), while injured, stranded, entangled or dead marine mammals should be reported to the [BC Marine Mammal Response Network](#) to enable a response if appropriate.

Further information regarding the *Marine Mammal Regulations* can be obtained by contacting your Regional Fisheries Coordinator or the DFO Marine Mammal Unit (MMU) (Contact: Paul Cottrell, Marine Mammal Coordinator; Paul.Cottrell@dfo-mpo.gc.ca).

4.4.3. Marine Mammal, Leatherback Sea Turtle and Basking Shark Sightings or Entanglements

The Department welcomes assistance in the reporting of any marine mammal, Leatherback Sea Turtle or Basking Shark entanglement or sighting. While there are many marine mammal species found in Pacific Canadian waters, sightings of Basking Shark and Leatherback Sea Turtles are infrequent. The collection of sighting data is useful to scientists in determining population size and species distribution and aids in recovery efforts under the Species at Risk Act (SARA).

Species identification guides for Sharks are available at <https://waves-vagues.dfo-mpo.gc.ca/Library/40757067.pdf>.

Guides to distinguish between pinnipeds, emphasizing differences between Steller and California Sea Lions can be found here:

https://wildwhales.org/wp-content/uploads/2020/08/BCCSN_IDGuide_Pinniped_email.pdf, and [between](#)

Sea and River Otters:

https://wildwhales.org/wp-content/uploads/2020/05/BCCSN_IDGuide_Otters_vertical_4.pdf

Best practices to reduce entanglement and reporting an incident: <http://dev-public.rhq.pac.dfo-mpo.gc.ca/whales-baleines/docs/entanglements-empetrements-pub-eng.html>

Information on approach distances from Marine Mammal Regulations can be found here: <https://www.dfo-mpo.gc.ca/about-notre-sujet/publications/infographics-infographies/documents/100-200-400-eng.pdf>

To report whale or turtle sightings contact the BC Cetacean Sighting Network:
Toll free: 1.866.I.SAW.ONE (1-866-472-9663)
Email: sightings@ocean.org
Website: <http://wildwhales.org/>
App : WhaleReport

To report Basking Shark sightings contact the Basking Shark Sightings Network:
Toll free: 1-877-50-SHARK (1-877-507-4275)
Email: BaskingShark@dfo-mpo.gc.ca,
Website: www.pac.dfo-mpo.gc.ca/SharkSightings

Marine Mammal Incident Reporting Hotline

The Department is responsible for assisting marine mammals and sea turtles in distress. If your vessel strikes a whale, or if you observe an entangled, sick, injured, distressed, or dead marine mammal in B.C. waters, please contact the B.C. Marine Mammal Response Network Incident Reporting Hotline immediately:

1-800-465-4336 OR VHF CHANNEL 16

What to report:

- Your name and contact information
- Date and time of incident
- Species
- Animal alive/dead
- Nature of injury
- Location: Latitude/Longitude coordinates, landmarks
- Pictures/Video taken



4.4.4. Southern Resident Killer Whales Management Measures

The Government of Canada is taking important steps to protect and recover the Southern Resident Killer Whale population, in keeping with direction provided in *Species at Risk Act* (SARA) recovery documents. In May 2018, the Minister of Fisheries, Oceans and the Canadian Coast Guard and Minister of Environment and Climate Change determined the Southern Resident Killer Whale population faces imminent threats to its survival and recovery. Given the status of the population and ongoing threats to Southern Resident Killer Whale recovery, DFO implemented a number of measures in 2018 through 2021, including measures aimed at increasing prey availability and accessibility for Southern Resident Killer Whales - particularly Chinook salmon—and reducing threats related to physical and acoustic disturbance with a focus in key foraging areas within Southern Resident Killer Whale critical habitat.

Since 2018, Indigenous groups, the Indigenous and Multi-Stakeholder Advisory Group (IMAG), Technical Working Groups (TWGs) and stakeholders have provided recommendations and feedback to Ministers and Departments on a range of measures (including measures related to increasing prey availability, sanctuaries, vessel disturbance [both noise and physical disturbance], and contaminants) to support Southern Resident Killer Whale recovery.

For the 2022 fishing season, the Government of Canada will be reviewing the [2021 fisheries management measures](#) and discussing potential measures with Indigenous groups, the Southern Resident Killer Whale Technical Working Groups, the Indigenous Multi-Stakeholder Advisory Group, and with key stakeholder groups. The Department intends to ensure that any updates to actions for the 2022 season can be implemented to coincide with the return of Southern Resident Killer Whales in typically greater numbers to Canadian Pacific waters.

The fishery management measures for the [2021 season](#) include salmon fishery closures and Interim Sanctuary Zones in portions of Swiftsure Bank and off the coasts of North Pender Island and Island prohibiting vessels from entering and fishing within their boundaries (with some exceptions) from June 1 to November 30, 2021 as per the [Interim Order enacted under the Canada Shipping Act](#). For detailed coordinates, please see [FN0519](#). These closures did not apply to individuals or vessels being used to fish for food, social or ceremonial purposes, or for domestic purposes pursuant to a treaty, under a license issued under the Aboriginal Communal Fishing License Regulations.

To address vessel disturbance in the presence of whales, a mandatory 400-metre vessel approach distance for all killer whales is in effect until May 31, 2022 in southern BC coastal waters between Campbell River and just north of Ucluelet. The *Marine Mammal Regulations* remain in effect year-round, and require maintaining a minimum 200 metre approach distance from all killer whales in Canadian Pacific waters other than those described above, and, 100 metres for other whales, porpoises and dolphins or 200 metres when the animal is in resting position or with a calf.

The Government of Canada is asking vessel operators to respect the following voluntary measures:

- Stop fishing (do not haul gear) within 1,000 metres of killer whales and let them pass;
- Reduce speed to less than 7 knots when within 1000m of the nearest marine mammal
- When safe to do so, turn off echo sounders and fish finders
- Place engine in neutral idle and allow animals to pass if your vessel is not in compliance with the approach distance regulations
- For more information on the best ways to help whales while on the water, when on both sides of the border, please visit: bewhalewise.org

For information regarding the Southern Resident Killer Whale management measures to support recovery, please contact the Marine Mammal Team (DFO.SRKW-ERS.MPO@dfo-mpo.gc.ca) or visit <https://www.canada.ca/southern-resident-killer-whales>

4.5. Ocean and Habitat Considerations

The Oceans Act came into force in 1997. This legislation provides a foundation for an integrated and balanced national oceans policy framework supported by regional management and implementation strategies. In 2002, Canada's Oceans Strategy was released to provide the policy framework and strategic approach for modern oceans management in estuarine, coastal, and marine ecosystems. As set out in the Oceans Act, the strategy is based on the three principles of sustainable development, integrated management, and the precautionary approach.

For more information on the Oceans Act and other relevant publications, please visit: <http://www.dfo-mpo.gc.ca/oceans/index-eng.html>

The Oceans Act, the Canada Wildlife Act, and the National Marine Conservation Areas Act have given rise to several initiatives on the Pacific coast, which are listed below. As goals, objectives, and management plans are finalized for these initiatives, the Department's management of fisheries will be adapted as appropriate, in consultation with interested parties through Integrated Fisheries Management Plan processes.

4.5.1. Canada's Marine and Coastal Areas Conservation Mandate

In August 2019, the Government of Canada surpassed its milestone of protecting 10% of Canada's marine and coastal areas by 2020, a target which is a reflection of Canada's United Nations Convention on Biological Diversity Aichi Targets commitments, collectively referred to as Canada's marine conservation targets. The Government of Canada further committed domestically to protecting 25% by 2025, and working towards 30% by 2030.

More information on the background and drivers for Canada's marine conservation targets is available at the following link:

<http://www.dfo-mpo.gc.ca/oceans/conservation/index-eng.html>.

To meet our marine conservation target, Canada is establishing Marine Protected Areas (MPAs) and "other effective area-based conservation measures" ("Other Measures"), in consultation with industry, non-governmental organizations, and other interested parties.

An overview of these tools, including a description of the role of fisheries management measures that qualify as Other Measures is available at the following link: <http://www.dfo-mpo.gc.ca/oceans/mpa-zpm-aoi-si-eng.html>.

4.5.1.1. Pacific North Coast Integrated Management Area (PNCIMA)

Endorsed in February 2017, the Pacific North Coast Integrated Management Area (PNCIMA) plan was developed, in collaboration with the Province of British Columbia, First Nations and stakeholders to help coordinate various ocean management processes and to complement existing processes and tools including IFMPs. High level and strategic, the plan provides direction on integrated, ecosystem-based and adaptive management of marine activities and resources in the planning area as opposed to detailed operational direction for management. The plan outlines an ecosystem-based management (EBM) framework for PNCIMA that has been developed to be broadly applicable to decision-makers, regulators, community members and

resource users alike, as federal, provincial and First Nations governments, along with stakeholders, move together towards a more holistic and integrated approach to ocean use in the planning area.

The endorsement of the PNCIMA plan supports the Government of Canada's commitment to collaborative oceans management for the Pacific North Coast and provides a joint federal-provincial-First Nations planning framework for conservation and the management of human activities in the Pacific North Coast. One of the key priorities for the plan is the development of a marine protected area network. The planning for this network is well underway in the Northern Shelf Bioregion. It is anticipated that the network development will contribute to the Government of Canada's commitment to protecting 25% of Canada's oceans by 2025, and working toward 30% by 2030.

The PNCIMA Plan is available online at: <https://www.dfo-mpo.gc.ca/oceans/management-gestion/pncima-zgicnp-eng.html>

4.5.1.2. Northern Shelf Bioregion MPA Network

The Province of BC, the Government of Canada and 16 First Nations are working together to develop a Network of marine protected areas for the Northern Shelf Bioregion which extends from the top of Vancouver Island (Quadra Island/Bute Inlet and Brooks Peninsula) and reaches north to the Canada - Alaska border. This bioregion has the same footprint as the Pacific North Coast Integrated Management Area. The planning process is being developed under the policy direction outlined in the National Framework for Canada's Network of MPAs as well as the Canada-British Columbia MPA Network Strategy.

A draft MPA network design, which consists of a map of areas proposed for conservation as well as potential management measures for proposed sites, was shared with First Nations, who are currently not part of the collaborative governance arrangement, and with members of the Network Advisory Committees in February 2019. The various sectors engaged in a review of the draft network design provided substantial input by January 30, 2020. A stakeholder forum was held in February 2020 to present and discuss feedback received. DFO completed its internal review of the draft design scenario and presented the report to the MPA Technical Team in March 2020. Governance partners are considering all input received to date and will be reporting out to stakeholders in late fall 2020. Revising the draft scenario will occur during the winter 2021 after which there will be further consultations, including public engagement in coastal communities, on scenario #2 and the accompanying socio-economic analysis. More information on MPA Network Planning can be found at: <http://www.mpanetwork.ca>

4.5.1.3. Marine Spatial Planning South Coast

As part of a national marine spatial planning (MSP) initiative, DFO in collaboration with the Province of BC, federal departments (Transport Canada, Natural Resources Canada, Environment and Climate Change Canada, Parks Canada) and Indigenous groups, have begun marine spatial planning efforts on the South Coast, including the Strait of Georgia and Southern Shelf bioregions. The intent of MSP is to improve coordination across jurisdictions and activities in the marine space, and work is underway to define scope and objectives of the project. In the early phases, engagement on governance is taking place internally with GC partners, and externally with the Province of BC and local First Nations (beginning with representative organisations like First Nations Fisheries Council). National MSP deliverables

include: governance, a bioregional atlas, and a marine spatial plan. Harvesters can expect updates on this process via Advisory Boards in the future.

4.5.1.4. Marine Protected Areas (MPAs)

DFO is also responsible for designating Marine Protected Areas (MPAs) under Canada's *Oceans Act*. Under this authority, DFO has designated three MPAs in the Pacific Region.

MPA regulations and management plans articulate any restrictions on activities taking place within the MPA, where applicable. More information on MPAs can be found at: <http://www.dfo-mpo.gc.ca/oceans/conservation/areas-zones/index-eng.html>, and in Appendix 10 of this IFMP.

4.5.1.4.1. Endeavour Hydrothermal Vents (EHV) MPA

The EHV MPA was designated in 2003 with the objective of conserving the unique hydrothermal vent ecosystems. The hydrothermal vents lie in waters 2,250 m deep 250 km southeast of Vancouver Island. The occasional licenced commercial pelagic fishing that occurs very near the ocean surface in the MPA is not considered to be in conflict with the conservation objectives of the MPA and will continue. All commercial groundfish fisheries are restricted within the Endeavour MPA. More information can be found online at: <http://www.dfo-mpo.gc.ca/oceans/mpa-zpm/endeavour/index-eng.html>.

4.5.1.4.2. SGaan Kinghlas-Bowie Seamount (SK-B) MPA

The SK-B MPA (180 km west of Haida Gwaii) was designated in 2008 and was established to conserve and protect the unique biodiversity and biological productivity of the area's marine ecosystem, including the surrounding waters, seabed, and subsoil. The MPA is cooperatively managed by DFO and the Council of the Haida Nation (CHN) through the SK-B Management Board, which was established under a Memorandum of Understanding (MOU). The Management Board (in consultation with the SK-B Advisory Committee) has recently finalized the [SK-B MPA Management Plan](#) which guides the conservation and protection of the SK-B ecosystem. In 2018, the Government of Canada and the Haida Nation closed all bottom-contact fishing at SK-B MPA as a precautionary management approach to protect sensitive benthic habitats, resulting in the MPA being closed to all commercial fishing activities. More information can be found online at: <http://www.dfo-mpo.gc.ca/oceans/mpa-zpm/bowie-eng.html>

4.5.1.4.3. Hecate Strait and Queen Charlotte Sound Glass Sponge Reefs (HS/QCS) MPA

The Hecate Strait and Queen Charlotte Sound Glass Sponge Reefs Marine Protected Area (Hecate MPA) was designated under the *Oceans Act* in February 2017 to conserve the biological diversity, structural habitat and ecosystem function of the glass sponge reefs. The Hecate MPA Regulations are available online at: <http://www.dfo-mpo.gc.ca/oceans/mpa-zpm/hecate-charlotte/index-eng.html>. The Hecate MPA is located in the Northern Shelf Bioregion of the Pacific Region southeast of Haida Gwaii, North and South of the entrance to the Douglas Channel, covering an area of approximately 2,410 square kilometers. The Hecate MPA zoning approach involves different management measures within each zone. Under the Hecate MPA Regulations, each glass sponge reefs' Core Protection Zone (CPZ) is closed to all commercial, recreational, and Aboriginal fishing. Anchoring, cable installation, maintenance and repair are

also prohibited in the CPZ. The Vertical Adaptive Management Zone (VAMZ) and Adaptive Management Zone (AMZ) is currently closed to all commercial bottom contact fishing activities for prawn, shrimp, crab and groundfish (including halibut), as well as for midwater trawl for hake. For more detail on the fishery closure within the Hecate MPA, review Fishery Notice FN0198 found here: https://notices.dfo-mpo.gc.ca/fns-sap/index-eng.cfm?DOC_ID=194216&ID=all&pg=view_notice. Scientific research, monitoring, and educational activities are allowed in the Hecate MPA if a proponent submits an activity plan to DFO and it receives Ministerial approval. Additional maps and shapefiles of the Hecate MPA are available at: <https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c4971250>.

4.5.1.4.4. Offshore Pacific Area of Interest

In May 2017, DFO announced the new Pacific Offshore Area of Interest (AOI) with the intention of making it one of Canada's largest Marine Protected Areas (MPAs) by 2021. The proposed MPA will provide protection to ecologically and biologically significant seamount and hydrothermal vent features within the Offshore Pacific Bioregion. Although the AOI has not yet been designated as an MPA, much of it is protected from under the Offshore Pacific Seamounts and Vents Closure (Offshore Fishery Closure). For more information on the Offshore Fishery Closure—including maps, boundaries and restrictions to other fisheries—please visit: <https://www.dfo-mpo.gc.ca/oceans/oecm-amcepz/refuges/offshore-hauturiere-eng.html>.

4.5.1.4.5. Race Rocks Area of Interest

Race Rocks, an area off Rocky Point, south of Victoria (currently designated as a Provincial Ecological Reserve), has been identified as an area of interest.

4.5.1.5. National Marine Conservation Area Reserves (NMCARs)

4.5.1.5.1. Gwaii Haanas

Gwaii Haanas National Park Reserve, National Marine Conservation Area Reserve, and Haida Heritage Site is a 5000 km² land-and-sea protected area in the southern part of Haida Gwaii (formerly the Queen Charlotte Islands), approximately 100 kilometres off the north coast of British Columbia. The Haida Nation designated the area a Haida Heritage Site in 1985. The terrestrial part of Gwaii Haanas was designated a National Park Reserve by the Government of Canada soon after, and Canada and the Haida Nation have been managing the area cooperatively since 1993. In 2010, the Gwaii Haanas marine area was designated a National Marine Conservation Area Reserve.

Gwaii Haanas is managed by the Archipelago Management Board (AMB), a cooperative body made up of three representatives of the Council of the Haida Nation and three representatives of the Government of Canada (Fisheries and Oceans Canada (1) and Parks Canada (2)). The AMB is guided by the *Gwaii Haanas Agreement* (1993) and the *Gwaii Haanas Marine Agreement* (2010), which describes how Canada and the Haida Nation will manage Gwaii Haanas cooperatively.

In November 2018, following an extensive consultation process, a new management plan for Gwaii Haanas was approved by Canada and the Haida Nation. The Gina 'Waadluxan

KilGuhlGa Land-Sea-People plan includes a shared vision, guiding principles based on Haida cultural values, goals and objectives, and zoning for the land and the sea. The plan will be in place for the next decade.

To develop the zoning plan, key ecological and cultural features were identified using a range of ecological data and traditional knowledge. A set of design considerations, which included minimizing socio-economic impacts, was used to develop an initial zoning proposal. This proposal was reviewed with stakeholder groups including the commercial and recreational fishing sectors and major changes were made to the zoning plan based on advice the AMB received.

The final zoning plan includes several areas of strict protection, where commercial and recreational fishing are prohibited. The zoning plan can be found at: <https://www.pc.gc.ca/en/pn-np/bc/gwaiihaanas/%20info/%20consultations/gestion-management-2018>.

Refer to Fishery Notice 0536, released June 13, 2019 for a detailed description of the Strict Protection Zones and can be found at: https://notices.dfo-mpo.gc.ca/fns-sap/index-eng.cfm?pg=view_notice&DOC_ID=222098&ID=all

Council of the Haida Nation Fisheries Management Directions for the Gwaii Haanas Haida Heritage Site can be found at: <http://www.haidanation.ca/wp-content/uploads/2019/04/CHN-Fisheries-Management-Directions-FINAL.pdf#:~:text=COUNCIL%20OF%20THE%20HAIDA%20NATION%20FISHERIES%20MANAGEMENT%20DIRECTIONS,jurisdiction%20of%20the%20Council%20of%20the%20Haida%20Nation>.

A monitoring plan will be developed to assess the effectiveness of zoning in achieving ecological and cultural objectives. Regular monitoring within and outside of strict protection zones will illustrate ecosystem responses and facilitate adaptive management of the Gwaii Haanas marine area.

Implementation of the Land-Sea-People plan will also involve cooperative management of fisheries using an ecosystem-based management framework, and monitoring activities will be supported through partnerships. For more information on Gwaii Haanas and the Archipelago Management Board, visit www.parksCanada.gc.ca/gwaiihaanas. The Land-Sea-People plan can be downloaded at <https://www.pc.gc.ca/en/pn-np/bc/gwaiihaanas/info/consultations/gestion-management-2018>.

Users of the Gwaii Haanas marine area should be aware that, as specified in the *Gwaii Haanas Agreement*, there is "no extraction or harvesting by anyone of the resources of the lands and non-tidal waters of the Archipelago for or in support of commercial enterprise" (s3.3). There are specific requirements for visiting the Gwaii Haanas terrestrial area and advanced planning is necessary. Please contact the Gwaii Haanas administration office at 1-877-559-8818 for further information.

4.5.1.5.2. Southern Strait of Georgia National Marine Conservation Area Reserve

Parks Canada, in partnership with the Government of British Columbia, launched a feasibility assessment for a National Marine Conservation Area Reserve (NMCAR) in the southern Strait

of Georgia in 2004. Since then, consultations with First Nations, key stakeholders, communities and the public have occurred. Informed by those discussions, a proposed boundary for consultation was announced by the provincial and federal Ministers of Environment in 2011.

Since 2011, the two governments have been consulting with First Nations, local governments and industry. Parks Canada consultations on the feasibility assessment are ongoing. If the results of the feasibility assessment indicate that establishment of a NMCAR is practical and feasible, an establishment agreement between the Governments of Canada and British Columbia will be negotiated and an interim management plan developed. If the NMCAR is determined to be feasible, further consultations related to establishment agreements and Indigenous rights will also take place with First Nations. Commercial and recreational fishing sectors, communities, landowners, recreation and environmental organizations and other stakeholders will also have opportunities to provide input to the development of the interim management plan.

Parks Canada information on the proposed NMCAR in the southern Strait of Georgia is available on the internet at: <https://www.pc.gc.ca/en/amnc-nmca/cnamnc-cnmca/dgs-ssg>

4.5.1.6. Scott Islands Marine National Wildlife Area

The Scott Islands Marine National Wildlife Area (mNWA) is the first protected marine area established by Environment and Climate Change Canada (ECCC) under the Canada Wildlife Act. In support of the conservation objectives of the Scott Islands mNWA, DFO is consulting on new regulations under the Fisheries Act to restrict certain fisheries that pose a risk to seabirds. A Notice of Intent was published in Canada Gazette Part 1 in June 2018 indicating the proposed regulations would prohibit fishing for three key forage fish species that serve as a key food source for seabirds (Pacific sand lance, Pacific saury, and North Pacific krill) as well as groundfish bottom trawling (in portions of the mNWA consistent with existing commercial closures). The anticipated pre-publishing of the regulations in Canada Gazette 1 is expected to occur in 2022.

For further information on this, please contact - DFO.ScottIslands-IlesScott.MPO@dfo-mpo.gc.ca

More information on the Scott Islands marine NWA can be found at:

<https://www.canada.ca/en/environment-climate-change/services/national-wildlife-areas/locations/scott-islands-marine.html>

The Scott Islands Protected Marine Area Regulations can be found at:

<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-119/index.html>

4.5.1.7. Strait of Georgia and Howe Sound Glass Sponge Reef Marine Refuges

Between 2016 and 2019, 17 marine refuges have been established under the Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative, which aims to protect glass sponge reefs from all bottom-contact fishing activities in alignment with DFO's Policy for Managing the Impacts of Fishing on Sensitive Benthic Areas. All commercial, recreational and Indigenous food, social and ceremonial (FSC) bottom-contact fishing activities for prawn, shrimp, crab and groundfish, are prohibited within the 17 marine refuges as well as the use of downrigger gear for recreational salmon trolling (restricted via Condition of Licence) is prohibited within

portions of Subareas 28-2 and 28-4 to protect Howe Sound glass sponge reefs. Prohibition fishing activities include:

- prawn and crab by trap
- shrimp and groundfish by trawl
- groundfish by hook and line
- use of downrigger gear in recreational salmon trolling

In 2020, a DFO Canadian Science Advisory Secretariat publication confirmed the presence of five additional live sponge reefs and one dead reef in Howe Sound. As glass sponge reefs are slow growing and vulnerable to physical disturbances, the report suggested the reefs be closed to bottom-contact fishing. Between September 2020 and February 2021, DFO officials undertook consultation and engagement on proposed commercial and recreational closures to invertebrate trap, groundfish trawl, groundfish hook and line, and the use of downriggers within the new sites with the aim of establishing marine refuges. A decision around fishing restrictions in the new sites is anticipated in early 2022, with in-season closures possible.

For further information on this, please contact Lindsay Klopp at Lindsay.Klopp@dfo-mpo.gc.ca.

Current closure locations, updates on potential future closures at the new sites, and more information are available at: <https://www.dfo-mpo.gc.ca/oceans/ceccsr-cerceef/closures-fermetures-eng.html>

4.5.1.8. Cold-Water Coral and Sponge Conservation Strategy

DFO's Pacific Region Cold-water Coral and Sponge Conservation Strategy encompasses short and long-term goals and aims to promote the conservation, health and integrity of Canada's Pacific Ocean cold-water coral and sponge species. The Strategy also takes into consideration the need to balance the protection of marine ecosystems with the maintenance of a prosperous economy. It was created with input from stakeholders throughout the Pacific Region and will help regional partners and stakeholders to understand how DFO's existing programs and activities tie into cold-water coral and sponge conservation.

4.5.2. Managing Impacts of Fishing on Sensitive Benthic Areas

Benthic ecosystems provide habitat, support food webs and are an important source of biodiversity. They also support many aquatic species that play an important social, cultural and economic role in the lives of many Canadians. It is imperative that these ecosystems are considered when managing oceans activities, including the harvest of fisheries resources. This includes the consideration of target species, non-target species, the ecosystems of which they are a part and the impact of fishing on these ecosystems when making management decisions. This is the basis of an ecosystem approach to fisheries management, which, along with a precautionary approach, is key to the Sustainable Fisheries Framework.

To avoid serious or irreversible harm to sensitive benthic habitat, species and communities and to otherwise address impacts to benthic habitat, communities and species, this policy follows a five (5) step process. Following these steps, ongoing fishing activities in historically fished areas will be managed to address impacts of fishing on sensitive benthic areas through existing processes, including the advisory processes in place for the given fishery, following these steps. The

management of proposed new fishing activities in frontier areas will be addressed through a separate procedure, also using these steps. For more information on this Policy, please visit the following web site: <http://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/benthi-eng.htm>

4.5.3. Rockfish Conservation Areas

There are 162 Rockfish Conservation Areas (RCAs) in British Columbia, covering roughly 4,350km² of the Canadian Pacific Coast. These areas are closed to a range of recreational and commercial fisheries to protect inshore rockfish and their habitat.

DFO is currently undertaking a multi-year review of the conservation effectiveness of RCAs, including meeting the national criteria and standards for marine refuges to better conserve sensitive areas and contribute towards Canada's Marine Conservation Targets (MCT). To meet these standards, the risks to inshore rockfish, their habitat, and benthic communities will need to be avoided or mitigated. Peer-reviewed science advice also recommends that boundary changes to some RCAs will improve their spatial design by better capturing rockfish habitat features. RCAs in the Northern Shelf Bioregion have been selected for the first phase of engagement to align with the MPA network planning process in that area. Workshops with First Nations and stakeholders and online consultations were held in 2019. A summary of what we heard is available online at: <https://www.pac.dfo-mpo.gc.ca/consultation/ground-fond/rca-ac/2020-heard-entendu-eng.html#6>. There will be more opportunities to provide feedback on Rockfish Conservation Areas in the Northern Shelf Bioregion in the near future. We're also planning to review Rockfish Conservation Areas in other regions of British Columbia at a later date.

For further information on this, please contact DFO.RCA-ACS.MPO@dfo-mpo.gc.ca.

4.5.4. Gear Impacts

In the past, there have been concerns about the potential impacts of Geoduck harvesting on the benthic environment as the harvesting process uses high-volume water hoses ("stingers") that liquefy the substrate around the clams in order to extract them. This technique is used in both the aquaculture industry and in the wild fishery. Cultured or enhanced Geoduck densities are generally much higher than that of wild stocks and therefore impacts from harvests of cultured or enhanced clams could be potentially amplified.

Since 2005, research of the potential effects of both intertidal and subtidal Geoduck clam harvest in aquaculture and enhancement plots has occurred. The potential effects on a variety of physical (sediment grain size, suspended sediment load), chemical (sulphide concentration, redox potential, organic matter, total organic carbon, total nitrogen), and biological (infaunal abundance/diversity, eelgrass density/shoot length/biomass) factors have been examined in four separate experiments [two small-scale studies (3 x 20 m intertidal plot and 7 x 21 m subtidal plot) and two large-scale studies (15 x 30 m intertidal plot and 60 x 100 m subtidal plot)]. Results from these four studies indicate that the effects of Geoduck harvest range from minimal (both temporally and spatially) to non-existent. Suspended sediments generated during the harvest were generally limited to within the harvest plot and the levels were not greater than those during wind/storm conditions.

Information obtained from these studies has helped to inform a review of the fishery against the requirements under the national policy for managing the impacts of fishing on sensitive benthic areas. The ecological risk analysis framework drafted under this policy will be used to determine

the level of risk in this fishery and whether mitigation measures are required in any areas. The intertidal study has been published and available at:

http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2013/2013_001-eng.html

Assessing Potential Benthic Impacts of Harvesting the Pacific Geoduck Clam in Intertidal and Subtidal sites has been published in the Journal of Shellfish Research and is available at:

<http://www.bioone.org/doi/pdf/10.2983/035.034.0305>

4.6. National Fishery Monitoring Policy and Catch Reporting

Robust fishery monitoring information is essential for stock assessment and to effectively implement management measures such as target and bycatch limits, quotas and closed areas. Fishery monitoring information is also needed to support the long-term sustainable use of fish resources for Food, Social, and Ceremonial and other Indigenous fisheries, commercial fisheries, recreational fisheries, and to support market access for Canadian fish products.

Following multi-sectoral consultations, DFO released the national *Fishery Monitoring Policy* in 2019, replacing the regional *Strategic Framework for Fisheries Monitoring and Catch Reporting in the Pacific Fisheries* (2012). The national *Fishery Monitoring Policy* seeks to provide dependable, timely and accessible fishery information through application of a common set of procedural steps used to establish fishery monitoring requirements across fisheries. Policy principles include respecting Indigenous and Treaty rights, linkage of monitoring requirements to the degree of risk and complexity of fisheries, linkage of monitoring programs to fishery and policy objectives while accounting for cost-effectiveness and practicality of implementation, and shared accountability and responsibility between DFO, Indigenous groups and stakeholders.

To ensure consistent national application of the Fishery Monitoring Policy, further guidance is provided through the “Introduction to the Procedural Steps of Implementing the Fishery Monitoring Policy”. Fish Stocks are first prioritized for assessment through collaboration with Indigenous groups and Stakeholders. Risk and data quality assessments are then conducted on priority stocks and associated fisheries and monitoring programs. Next, monitoring objectives are set in alignment with the Fishery Monitoring Policy, followed by specifying monitoring requirements and then monitoring programs are operationalized. Finally, a review and evaluation of the fishery monitoring programs against the monitoring objectives will be conducted and reported on.

The Fishery Monitoring Policy is part of DFO’s Sustainable Fisheries Framework and is available at:

<https://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/fishery-monitoring-surveillance-des-peches-eng.htm>

The “Introduction to the Procedural Steps of Implementing the Fishery Monitoring Policy” is available at:

<https://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/fmp-implementation-psp-mise-en-oeuvre-eng.htm>

In cases where assessment of monitoring programs identifies a gap between the current and target level of monitoring, discussions will be held between DFO Indigenous groups and stakeholders to identify options to address the monitoring gap, and the feasibility of these options (e.g. cost,

technical considerations, etc.). To support Fishery Monitoring Policy principles, a collaborative approach is required.

Where monitoring options are determined to be feasible, the monitoring and reporting regime will be revised to incorporate these options, providing resource managers with sufficient information to meet Fishery Monitoring Policy objectives. Where monitoring options are not feasible, alternative management approaches are required to reduce the risk posed by the fishery. If there is no gap between the current and target level of monitoring, the management approach will not require any change.

5. OBJECTIVES

The “longer term” objectives for this and other invertebrate fisheries in B.C. are outlined below.

5.1. National

DFO aims to:

- Meet conservation objectives and ensure healthy and productive fisheries and ecosystems;
- Manage fisheries to provide opportunities for economic prosperity;
- Provide stability, transparency, and predictability in fisheries management and improved governance.

5.2. Pacific Region

In 1994, the Biological Objective Working Group of the Pacific Scientific Advice Review Committee (PSARC) identified three biological objectives for management of Pacific Region fish and invertebrate stocks (Rice et al, 1995). The objectives remain relevant today, particularly in light of development of the national objectives around sustainable fisheries:

- Ensure that subpopulations over as broad a geographical and ecological range as possible do not become biologically threatened (COSEWIC sense of “threatened”).
- Operationally, the above objective requires at least that management allow enough spawners to survive, after accounting for all sources of mortality (including all fisheries and natural mortality), to ensure production of enough progeny that they will, themselves, be able to replace themselves when mature.
- Fisheries may have collateral effects on other species, mediated by the ecological relationships of the target species. Fisheries should be managed in ways that do not violate the above objectives for ecologically related species, as well as target species.

5.3. Geoduck and Horse Clam

5.3.1. Stock Conservation

The biological objective is to harvest the available biomass on a sustainable basis and to manage this on a bed-quota basis. The management objectives to accomplish these biological objectives are to:

- Conduct ongoing surveys and research to improve information on Geoduck stocks, bed location, and biological characteristics;

- Reduce uncertainty in Geoduck biomass estimates by constantly improving information on the three key elements of biomass estimation: bed area, weight, and density;
- Harvest at a maximum sustainable annual (Geoduck) harvest rate of 1.2 to 1.8% of estimated current biomass;
- Track accurate harvest information for all users. For the commercial fishery this is accomplished through a Dockside Monitoring Program and on-grounds monitors;
- Limit Reference Point: Close beds where estimated current biomass has fallen below 40% of estimated unfished biomass. Only re-open beds when the current biomass estimates rebound above the 40%, typically when a survey shows an increase in density as a result of recruitment. (Note: This reference point may not be meaningful in areas where Sea Otters are abundant and where Sea Otter predation has been documented.)
- Manage the commercial fishery to an appropriate scale in order to avoid any risk of localized overfishing; and
- Limit Horse Clam harvest until basic biological parameters allowing calculation of a TAC are known.

5.3.2. Sustainability

Two primary issues are of particular concern when considering the sustainability of the Geoduck fishery. The first is the presence of Sea Otters in areas where the Geoduck fishery is carried out. The second issue is the appropriateness of the management objectives above. The objectives for addressing these issues are to:

- Build an ecosystem-based adaptive management strategy that will allow a Geoduck fishery even with the recovery of otters. The UHA funds on-grounds monitors whose tasks now include, among others, collecting data on otters and their effects on Geoduck populations, such as otter counts and recording effects of otter predation on Geoduck beds.
- Consider historical and socio-economic review of B.C. shellfish fisheries and Sea Otters. The technical report is intended to assist shellfish managers to work with shellfish harvesters to develop innovative solutions to mitigate the economic effects of Sea Otters.
- Periodically re-evaluate harvest data and data collected through surveys and other observations. The Department, in collaboration with the UHA, continues to review population age structure and recruitment, and annually refines estimates of bed size (through geo-reference studies), clam sizes (through market samples and biological samples), and densities (through surveys). The estimates of current biomass from surveys and extrapolation to un-surveyed areas require on-going study.

5.3.3. Ecosystem

Harvest and culture activities should occur in a manner that will prevent impacts to eelgrass beds and other sensitive fish habitats. Harvesters should avoid eelgrass beds when anchoring and dragging air hoses. The DFO Fisheries Protection Program advises that activities are unlikely to negatively impact eelgrass beds if they occur at least 10 meters away. If commercial harvesters have any concerns or questions that a fishing activity may adversely affect fish habitat, they are encouraged to contact the local Fisheries Protection Program manager.

5.3.4. Social, Cultural, and Economic Considerations

5.3.4.1. First Nations

The Department's objective is to provide opportunities for First Nations to harvest fish for FSC purposes, or domestic use under treaty, in a manner consistent with the decision of the Supreme Court of Canada in the Sparrow Decision, and other court decisions. For more information, see the Internet at: <http://www.pac.dfo-mpo.gc.ca/abor-autoc/index-eng.html> or Appendix 3.

5.3.4.2. Recreational

DFO's objective is to affirm the social and economic importance of the recreational fishery, provide sustainable recreational harvesting opportunities as part of integrated management plans consistent with DFO's policies, to create an environment within the advisory process in which recreational fishing representatives are welcome to express their concerns and opinions at the table, and to establish working mechanisms in conjunction with the other fishing sectors to reduce conflict and mitigate issues.

DFO's objective is to develop standards for catch monitoring for all sectors, including recreational, commercial and First Nations.

For more information, see Appendix 4.

5.3.4.3. Commercial

The Department will continue to work collaboratively with interested stakeholders and First Nations to:

- Maximize the long term sustainability, profitability and stability of the Geoduck and Horse Clam fishery and industry in B.C.;
- Manage the fishery to allow for a year round supply of product to the market;
- Establish and monitor conditions of harvest to continue to develop knowledge of the stock;
- Continue to develop policies and programs that will allow for the orderly development of Geoduck and Horse Clam culture activities with no undue detrimental effect on the wild stocks or the wild fishery;
- Ensure safe harvest of shellfish through compliance with the CSSP programs;
- Manage the fishery to ensure safety for harvesters; and
- Implement protocols to address the impact of PSP on completion of the annual quota.

5.3.4.4. Aquaculture

The Department is continuing to collaborate with the Provincial Government to develop policies and programs that will allow for the orderly development of Geoduck and Horse Clam culture activities without undue detrimental effect on the wild stocks or wild fishery. In early 2017, Fisheries and Oceans Canada finalized the Integrated Geoduck Management Framework (IGMF). Geoduck aquaculture, as outlined in the IGMF, represents an opportunity to diversify the economies of coastal and Indigenous communities in British Columbia while maintaining the economic prosperity and long-term sustainability of the wild Geoduck fishery. See Appendix 5.

5.4. Compliance Objectives – Food Safety

The Canadian Shellfish Sanitation Program (CSSP) was established to co-ordinate the efforts of federal government agencies concerning the standards for sanitary shellfish practices. The purpose

of the CSSP is to ensure that bivalve molluscs are safe for human consumption. To achieve this, the CSSP:

- sets standards for the harvest and handling of all bivalves within Canadian tidal waters;
- commits, by way of the Agreement, to improve sanitary practices within the shellfish industry;
- designates the responsibilities of DFO, Environment and Climate Change Canada (ECCC) and the Canadian Food Inspection Agency (CFIA) to properly facilitate the mandate of the CSSP to Canadians and foreign governments; and
- strives to increase the efficiency and effectiveness of the CSSP by co-operation, communication, and participation.

The Pacific Region Interdepartmental Shellfish Committee (PRISC) meets biannually to discuss the recommendations that have arisen from water quality survey work conducted by ECCC.

6. ACCESS AND ALLOCATION

The Minister can, for reasons of conservation or for any other valid reasons, modify access, allocations, and sharing arrangements as outlined in this IFMP in accordance with the powers granted pursuant to the *Fisheries Act*.

6.1. First Nations

To date, no limits have been placed on Aboriginal Geoduck harvest for FSC.

6.2. Recreational

The daily limit for Geoduck is three per day; the daily limit for Horse Clam is six per day. The possession limits for all clam species are two times the daily limit.

6.3. Commercial

The coast-wide Geoduck TAC for 2022/23 is 2,811,000 lb. (1,275 tonnes). 6,000 lb. of the TAC is allocated for biological samples. Additional small harvests are authorized for biotoxin monitoring and broodstock collection. A commercial TAC of 2,805,000 lb. provides for 550 Quota Blocks each with 5,100 lb. In addition, there may be limited supplemental harvest opportunities of Geoduck harvested from areas tenured for the purpose of aquaculture, which are conducted through amended licence conditions.

Commercial Horse Clam harvests will be permitted only in those areas opened for Geoducks. The incidental harvest of Horse Clams while fishing for Geoduck is limited to small area caps. In areas with a survey-based TAC, additional harvest may occur in addition to the area caps.

6.4. Aquaculture

The first priority in managing fish stocks is conservation, followed by First Nations obligations. Beyond that, the needs of aquaculturalists will be given equitable consideration to those of other users in the commercial and recreational sectors.

DFO will aim to facilitate access for relatively low numbers of wild juvenile or adult fish for limited time periods (e.g. for broodstock development), where populations would face insignificant to low risk from the additional harvest pressure (DFO 2004).

7. MANAGEMENT MEASURES FOR THE DURATION OF THE PLAN

See the Harvest Plans, Appendix 3 to 6 for detail on the following:

- Total Allowable Catch (TAC)
- Fishing Seasons/Areas
- Control and Monitoring of Removals
- Decision Rules
- Licensing
- Habitat Protection Measures

8. SHARED STEWARDSHIP ARRANGEMENTS

8.1. Commercial

The UHA undertakes annual stock assessment activities in support of the commercial fishery. The UHA funds density surveys and research activities and their costs include vessel time, diver salaries, travel costs and costs for a third party biologist. DFO provides in-kind support and data analysis.

The UHA funds the catch verification program to track all commercial Geoduck and Horse Clam landings as well as PSP sampling and other fishery related costs.

Several coastal First Nations contribute time and effort through collaborative research surveys with the UHA and the Department by providing observers, biologists, vessels, and divers.

8.2. Fisheries and Oceans Canada

Several Stock Assessment personnel, including staff managing landing data, and two Fisheries Management personnel are directly involved in this fishery for some part of their activities. Contributions to the IFMP are provided by Fisheries Management in the areas and at regional headquarters, the Science Branch, the Shellfish Data Unit, Conservation and Protection Branch (C&P), the Pacific Fishery Licence Unit, and numerous administrative personnel. Generally, all personnel are multi-tasked, i.e. Resource Managers may work on all dive fisheries.

9. COMPLIANCE PLAN

9.1. Overview

DFO's Conservation and Protection (C&P) program is responsible for enforcing the *Fisheries Act* and pursuant regulations and related legislation. Enforcement activities are carried out by Fishery Officers across Canada who conduct patrols on land, at sea and in the air.

The Department promotes compliance with the law through a range of actions including education and awareness activities that encourage Canadians to protect fishery resources and habitats, patrol activities to detect violations and major case management. These activities are further outlined in the C&P National Compliance Framework.

There are approximately 160 Fishery Officers stationed in the Pacific Region, which encompasses B.C. and the Yukon Territory. They are designated as "Fishery Officers" under Section 5 of the *Fisheries Act*. The *Fisheries Act* and the *Criminal Code of Canada* are the primary pieces of

legislation outlining the powers and responsibilities of Fishery Officers. Officers are designated under other Acts as well, such as the *Coastal Fisheries Protection Act* and *Species at Risk Act*.

Users of the resource have a responsibility to report violations. Any suspected or actual fisheries, wildlife or pollution violations can be quickly and discretely reported to the appropriate enforcement officer by using the toll free observe, record and report hotline. This toll free number is available 24 hours a day.

OBSERVE, RECORD AND REPORT 1-800-465-4DFO (1-800-465-4336)

Enforcement enquiries can also be directed to the local field offices during regular office hours.

9.2. Enforcement Issues and Strategies

Enforcement of the Geoduck and Horse Clam fisheries will be tempered by commitments to higher priority issues, such as species at risk, CSSP and fisheries that have conservation concerns. C&P staff will pursue opportunities to monitor and enforce issues and problems related to the fishery in conjunction with the monitoring and enforcement activities dedicated to the identified priority fisheries in the Pacific Region.

Fishery Officers conduct a range of activities to promote compliance. These activities include attending industry and internal management meetings, defining key enforcement concerns with Fisheries Management prior to the commercial fishery, conducting patrols, at sea boardings and plant inspections during the fishery, and post season reporting.

Dockside validation is a key component of the management of the fishery. C&P supports dockside validation by inspecting offloads and monitoring offloading practices.

Air surveillance resources will be utilized to patrol boundaries and conduct gear and vessel counts. Charter aircraft as well as DFO aircraft may be utilized for these activities.

C&P strives to meet with First Nations groups to build relationships. Fishery Guardians are integral to this process and are very important to the C&P enforcement program. C&P conducts joint patrols of First Nations fisheries and strives to complete enforcement protocols to better define our working relationship.

ISSUE	SECTION	STRATEGY
Licensing Verification: Vessel licensed. No fishers' registration card (FRC). Fail to produce FRC.	<i>Pacific Fishery Regulations (PFR)</i> Section (S) 22, PFR S 25, <i>Fishery General Regulations (FGR)</i> S 11	At sea and dockside inspections will occur when opportunities exist. These inspections may include inspection of all licensing documents to ensure compliance with regulations.
Harvest from contaminated area.	<i>Management of Contaminated Shellfish Regulations (MCSR)</i> S 3	Patrols are increased for all bivalve fisheries when areas close due to PSP. Due to hail-in requirements, commercial fish harvesters can be notified of closures.

ISSUE	SECTION	STRATEGY
Fish during closed time/area.	PFR S 63	Patrols utilizing program vessels will be made when opportunities exist. May use charter or DFO aircraft.
Fail to provide proper landing and hail information, lack of notification for change of area, cancellation of trip, or incorrect reporting of area fished.	FGR S 22(7) (Fail to comply with terms and conditions of licence.)	At-sea and dockside inspections will occur when opportunities exist. Investigations will occur on an opportunistic basis after notification by Fisheries Management that a violation may have occurred. Charter aircraft may be used in co-ordination with scheduled priority fishery patrols.
Fail to use proper cage. Fail to tag cage. Fail to use proper tag.	FGR S 22(7)	At-sea and dockside inspections will occur when opportunities exist. Investigations will occur on an opportunistic basis after notification by Fisheries Management that a violation may have occurred.
Fail to maintain Harvest Log Book.	FGR S 22(7)	At-sea and dockside inspections will occur when opportunities exist. Investigations will occur on an opportunistic basis after notification by Fisheries Management that a violation may have occurred.
Fail to weigh before transshipping to packer.	FGR S 22(7)	At-sea and dockside inspections will occur when opportunities exist. Investigations will occur on an opportunistic basis after notification by Fisheries Management that a violation may have occurred.
Packer fails to hail.	FGR S 22(7)	Dockside inspections will occur when opportunities exist.
Pack without conditions of licence attached.	FGR S 22(7)	Dockside inspections will occur when opportunities exist.
Fail to have clams weighed and validated at landing.	FGR S 22(7)	Dockside inspections will occur when opportunities exist.
Smash shells or slit membrane. Dump or throw overboard.	FGR S 22(7)	Dockside inspections will occur when opportunities exist. Investigations may be initiated if reports from observers are received.

ISSUE	SECTION	STRATEGY
Fail to provide assistance to observers. Fail to permit observers to carry out duties.	FGR S 46,47,48,49	Fishery Officers will attend when observers are unable to conduct their duties. Investigations will be initiated.
High grading of product underwater and on board.	FGR S 22(7)	Peer pressure within the commercial sector is a deterrent. Fishery Officers will respond to reports of this activity through inspections and surveillance.
Damaging eelgrass beds.	FGR S 22(7) FA S 35(1)	Inspection dives may be conducted by Fisheries Protection Program (FPP) staff to assess damage to eelgrass beds.
Fail to advise observer of transfer of quota.	FGR S 22(7)	Fishery Officers may respond if Fisheries Management and the contractor cannot resolve the issue.
Obstruct or assault Fishery Officer or Fishery Guardian.	FA S 62 Criminal Code of Canada (CCC) S 129	Fishery Officers will investigate and lay charges for obstructing a Fishery Officer/Peace Officer.

10. PERFORMANCE REVIEW

Performance indicators are reported in the Post-Season Review (Appendix 1).

10.1. Stock assessment and Research

Stock Assessment activities undertaken during the previous season will be outlined.

10.2. First Nations Fishery

The post season review may include outcomes of meetings with First Nations on specific issues, and Geoduck information contributing to, or resulting from, the treaty process.

10.3. Recreational Fishery

The post season review may include outcomes of meetings with recreational harvesters on specific issues.

10.4. Commercial Fishery

The delivery of the commercial fishery will be assessed by performance measures including the number of vessels participating in the fishery, the number of licence eligibilities fished, the amount of Geoduck landed and the estimated value of the fishery. Input from representatives at the Geoduck Sectoral Committee meetings may also be included.

10.5. Compliance

The post season review may include time spent attending to enforcement of the fishery. It should be noted that low numbers of violations may be indicative of a successful proactive program, establishing a visible presence of enforcement authority as a deterrent to non-compliance.

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12. GLOSSARY

Indigenous Knowledge	There is no universal definition of Indigenous knowledge, and the composition of Indigenous knowledge is for Indigenous peoples to determine. Indigenous knowledge is intricately tied to Indigenous worldviews and ways of life, rather than knowledge in a western sense.
abundance	Number of individuals in a stock or a population.
age composition	Proportion of individuals of different ages in a stock or in the catches.
aquaculture	As defined by the United Nations Food and Agriculture Organization (FAO), aquaculture is the culture of aquatic organisms, including fish, molluscs, crustaceans, and aquatic plants. Aquaculture implies some form of intervention in the rearing process to increase production, such as regular stocking, feeding, protection from predators, etc. It also implies individual or corporate ownership of the cultivated stock.
Area and Subarea	Defined in Section 2 of the <i>Pacific Fishery Management Area Regulations</i> . A map of Pacific Fishery Management Areas is available on the Department's Internet site at: http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/areas-secteurs/index-eng.html
biomass	Total weight of all individuals in a stock or a population.
bycatch	The unintentional catch of one species when the target is another.
catch validation program	A program designed to monitor, record, and verify catches.
chart datum	The zero tide elevation on a hydrographic chart which usually approximates the lowest tide level for the local area.
Committee on the Status of Endangered Wildlife in Canada (COSEWIC)	Committee of experts that assess and designate which wild species are in some danger of disappearing from Canada.
communal commercial licence	Licence issued to First Nations organizations pursuant to the <i>Aboriginal Communal Fishing Licences Regulations</i> for participation in the general commercial fishery.

communal licence	A licence issued to First Nations organizations under Section 4 of the <i>Aboriginal Communal Fishing Licences Regulations</i> , pursuant to the <i>Fisheries Act</i> , to carry on fishing and related activities.
Centre for Scientific Advice - Pacific (CSAP)	Centre for Scientific Advice - Pacific (formerly, Pacific Scientific Advice Review Committee), chaired by DFO and including other federal and provincial government agency representatives and external participants.
CSAS	Canadian Science Advisory Secretariat
CSSP	Canadian Shellfish Sanitation Program ensures that bivalve shellfish are harvested from waters meeting acceptable sanitary and biotoxin criteria.
dockside monitoring program (DMP)	A monitoring program that is conducted by a company that has been designated by the Department, which verifies the species composition and landed weight of all fish landed from a commercial fishing vessel.
Domoic Acid Poisoning	A marine biotoxin sometimes found in bivalves. Also referred to as ASP or Amnesic Shellfish Poisoning.
DSP	Diarrhetic Shellfish Poisoning. A marine biotoxin sometimes found in bivalves.
enhancement	The culture and release of wild stocks for stock rehabilitation and/or to increase stock sizes above natural levels of abundance. An enhanced stock is a common property resource and is subject to the public right to fish.
fishing effort	Quantity of effort using a given fishing gear over a given period of time.
Food, Social, and Ceremonial (FSC)	A fishery conducted by Aboriginal groups for food, social and ceremonial purposes.
GMA	Geoduck Management Area. Subdivisions of the coast of BC appropriate to the purpose of managing portions of the coast-wide quota.
harvest quotas	A fixed amount of catch provided as an opportunity for harvest to a licensed fisher or vessel.
high grading	Sorting through the catch and discarding less desirable animals (small, dark, other characteristics) underwater at the time of harvest, or on board the vessel.
intertidal	The area of the ocean shoreline located between the highest high water and lowest low water tidal levels.
invertebrate	An animal without a backbone.
IVQ	Individual Vessel Quota: a portion of the total allowable catch (TAC) allocated annually to an individual vessel licence. In the Geoduck fishery, each IVQ is equivalent to 1/55 of the commercial TAC.
landed value	Value of the product when landed by the licensed vessel.
landing	Quantity of a species caught and landed. Harvested animals transferred from a vessel to land.
Marine Biotoxin	Poisonous compounds accumulated by shellfish feeding upon toxin containing dinoflagellates and marine diatoms.

natural mortality	Mortality due to natural causes, symbolized by the mathematical symbol M.
observer	An individual who has been designated as an Observer by the Regional Director General for the Pacific Region of Fisheries and Oceans Canada pursuant to section 39 of the <i>Fishery (General) Regulations</i> and in the employ of a service provider company that has been certified by the Canadian General Standards Board (CGSB) for Dockside Monitoring.
observer coverage	When a licence holder is required to carry an officially recognized observer onboard their vessel for a specific period of time to verify the amount of fish caught, the area in which it was caught and the method by which it was caught.
OGM, on-grounds monitor	“On-Grounds Monitor” means a third party individual, who may or may not be designated as an “Observer”, whose role is to co-ordinate sampling for the Marine Biotxin Monitoring Program, communicate with dockside observers, write Incident Reports, advise operators of open and close times and fishing locations, monitor effort, co-ordinate fishing activity to avoid excessive harvesting in specific Geoduck and Horse Clam beds, observe product transfers to packer vessels, check dive harvest information, and record other observations about the prosecution of the Geoduck and Horse Clam fishery, and about sea otter impacts.
Population	Group of individuals of the same species, forming a breeding unit, and sharing a habitat.
precautionary approach	Set of agreed cost-effective measures and actions, including future courses of action, which ensures prudent foresight, reduces, or avoids risk to the resource, the environment, and the people, to the extent possible, taking explicitly into account existing uncertainties and the potential consequences of being wrong.
PSARC	See CSAP
PSP	Paralytic Shellfish Poisoning. A marine biotoxin sometimes found in bivalves. Also commonly referred to as “red tide”.
quota	Portion of the total allowable catch that a unit such as vessel class, country, etc. is permitted to take from a stock in a given period of time.
Quota Block	The Commercial Total Allowable Catch has been divided into 550 equal blocks that can be traded, permanently or temporarily amongst G or FG licences.
recruitment	Amount of individuals becoming part of the exploitable stock e.g. that can be caught in a fishery. The process whereby young animals are added to a fishable stock or population.
sampling program	A program in which representative samples of animals are collected for the calculation of parameter estimates that describe such things as weight, length or age within the general population.
shell ageing	The process of examining growth marks on a bivalve shell to determine the animal’s age.
spawner	Sexually mature individual.

<i>Species at Risk Act</i> (SARA)	The Act is a federal government commitment to prevent wildlife species from becoming extinct and secure the necessary actions for their recovery. It provides the legal protection of wildlife species and the conservation of their biological diversity.
stakeholders	Individuals or groups with an interest in a particular fishery or activity.
stock	Describes a population of individuals of one species found in a particular area, and is used as a unit for fisheries management. Ex: NAFO area 4R herring.
stock assessments	Scientific evaluation of the status of a species belonging to a same stock within a particular area in a given time period. Results of analyses of fisheries and research data used to evaluate the effects of fishing on a stock or population and to predict the reactions of populations to alternative management choices.
substrate	The ground (often the ocean bottom) and its composition, in or on which animals live.
subtidal	A portion of the bottom of the ocean that is not exposed at low tide stages. The ocean bottom at elevations below low water or chart datum.
tonne	Metric tonne, which is 1,000 kg or 2,204.6 lb.
total allowable catch (TAC)	Total allowable catch: the amount of catch that may be taken from a stock, determined by analytical procedures, to achieve management objectives.
total validated landings	The sum of all landed Geoducks which have been validated by the Validation Program.
Traditional Ecological Knowledge (TEK)	A cumulative body of knowledge and beliefs handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their environment.
validation	The verification, by an observer, of the weight of fish landed.