

# Decision on Application to Amend a Marine Aquaculture Licence and Lease

## Application to the Administrator:

On December 24, 2021, the Nova Scotia Department of Fisheries and Aquaculture (the “Department”) received an application to amend Aquaculture Licence and Lease #0049 (AQ#0049), as described below:

## Application Summary:

<b>Type:</b> Marine	<b>Size:</b> 14.82 HA
<b>Number:</b> AQ#0049	<b>Cultivation Method:</b> Suspended cultivation
<b>Applicant:</b> Indian Point Marine Farms Limited	
<b>Location:</b> Mahone Bay, Lunenburg County	<b>Current Species:</b> Blue mussel, European oyster, Giant sea scallop
<b>Proposed Amendment:</b> Authorize the cultivation of 4 additional (marine plant) species: Sugar kelp ( <i>Saccharina latissima</i> ), Horsetail kelp ( <i>Laminaria digitata</i> ) Dulse ( <i>Palmaria palmata</i> ) and Nori ( <i>Pyropia sp.</i> )	

## Site History:

The Licence and Lease for site AQ#0049 were first issued in March 1990 to Indian Point Marine Farms Ltd., for a ten-year term for the suspended cultivation of Blue mussel and European oyster. The Licence and Lease have both been consecutively renewed with the most recent occurring on March 8, 2019 whereby the Licence was renewed for a ten year term (March 2, 2018 – March 2, 2028) and the Lease was renewed for a twenty year term (March 2, 2019 – March 2, 2038). The Licence and Lease were amended to add Giant sea scallop on October 13, 2015.

## Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#0049, pursuant to Sections 71-72 of the *Aquaculture Licence and Lease Regulations* (the “Regulations”). There were no concerns raised following the performance review.

## Consultations on Application to Administrator:

The application was sent for consultation to the following departments or agencies of the Government of Nova Scotia, pursuant to Clause 40(1)(a) of the Regulations:  
Office of L’Nu Affairs (OLA).

The application was sent for consultation to the following departments or agencies of the Government of Canada, pursuant to Clause 40(1)(b) of the Regulations:  
Canadian Wildlife Services (CWS).

### **Public Submissions on Application to Administrator:**

Pursuant to Section 41 of the Regulations, notice of the application was published on the Department’s website and in the Royal Gazette Part I inviting the public to submit written comments on the application to the Administrator within the 30 days following the date the notice was published. This notice was published on September 8, 2022.

Zero submissions were received by the Department during the 30-day public comment period.

### **Factors to be Considered (as set out in Section 3 of the Regulations):**

#### *The optimum use of marine resources*

The review conducted by the Department raised a concern regarding historical utilization of the site for Blue mussel. More recently, however, this site has been stocked with Giant sea scallop thereby demonstrating a more appropriate utilization of the site. The information in support of the amendment application suggests increased production is planned for this site and employment as a result of adding marine plants. Department staff will continue to monitor that production plans are implemented as submitted and that the site is utilized for Aquaculture.

#### *The contribution of the proposed operation to community and Provincial economic development*

The proposed marine plant species included in the amendment application are suitable for this area, as they naturally are already present in the area. The operator will continue to source from local suppliers. The operator has also provided plans to collaborate and build opportunities with the local community at various points in the supply chain.

#### *Fishery activities in the public waters surrounding the proposed aquacultural operation*

This application to amend an existing Aquaculture licence and lease contained no expected novel negative impacts to the fishery activities in the public waters near the existing site.

#### *The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation*

There were no anticipated changes identified in the development plan which reflect the oceanographic and biophysical characteristics of the public waters surrounding the existing operation. The existing approved infrastructure will be used.

*The other users of the public waters surrounding the proposed aquacultural operation*

This application to amend an existing Aquaculture licence and lease contained no expected novel impacts to the other users of the public waters near the existing site. Recommendations were provided by agencies of the Government of Canada and the Government of Nova Scotia, to mitigate any potential impacts to other users including wildlife. These recommendations were shared with the operator.

*The public right of navigation*

The operator shall adhere to the site marking requirements according to their Notice of Works issued by Transport Canada under the Canadian Navigable Waters Act, reference number NPP#8200-9-237.

*The sustainability of wild salmon*

There is no indication that the proposed amendment will pose ecological concerns or have an impact on the sustainability of wild salmon.

*The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation*

Aquaculture site AQ#0049 is situated within Mahone Bay, between several islands approximately 4km East of the town of Mahone Bay. There are currently a total of 8 marine aquaculture sites within the Mahone Bay area, with the nearest site, AQ#0055 (another shellfish site), being approximately 5.5km North of AQ#0049. There is no evidence to suggest that the extent of the existing aquaculture in the harbour has exceeded the carrying capacity.

**Decision:**

Based on the factors considered above, AQ#0049 Licence and Lease shall be amended to add Sugar kelp (*Saccharina latissima*), Horsetail kelp (*Laminaria digitata*) Dulse (*Palmaria palmata*) and Nori (*Pyropia sp.*) in accordance with the applicant's proposal. Except as expressly amended, AQ#0049 shall remain unchanged in full force and effect, including any terms and conditions. Documents shall be prepared to effect the above-approved amendments respectively to the Licence and Lease, in accordance with the Department's standard operating documents and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.



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Robert Ceschiutti  
Aquaculture Administrator  
Nova Scotia Department of Fisheries and Aquaculture

March 29, 2023

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Date