

Findings and Decision - Renewal Application of Michael J Mullen for AQ#0263

1. Overview:

On August 22, 2019, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Michael J. Mullen to renew Aquaculture Licence #0263(AQ#0263), as described below:

Table 1. Description of Aquaculture Licence #0263

Type: Landbased	Location: Hassett, Hour Glass Lake, Digby County
Number: AQ#0263	Species: Atlantic salmon
Applicant: Michael J. Mullen	Proposed Term: 10 year Licence

2. History

AQ#0263 was first issued to Mic Mac Smolts Limited on March 22, 1990 for a ten year term (March 1, 1990 to February 29, 2000). AQ#0263 was assigned on May 2, 1990 from Mic Mac Smolts Limited to Scotia Salmon Farms Limited. AQ#0263 was assigned on January 27, 1993 from Coopers & Lybrand Limited to Shelburne Salmon Farms Limited. AQ#0263 was renewed on April 5, 2000 for a five year term (April 5, 2000 to April 5, 2005). AQ#0263 was renewed on May 10, 2005 for a five year term (March 1, 2005 to March 1, 2010). AQ#0263 was assigned on December 20, 2005 from Shelburne Salmon Farms Limited to Michael Mullen. AQ#0263 was renewed on November 1, 2011 for a term of five years (March 2, 2010 to March 1, 2015). AQ#0263 was renewed on March 25, 2015 for a term of five years (March 2, 2015 to March 2, 2020).

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their renewal application was completed. This review recommended that the site be renewed based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(d) of the Aquaculture Licence and Lease Regulations and was completed on January 14, 2020.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0263 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of October 31, 2019 to November 29, 2019. Notice of the application was also published in the Royal Gazette Part I on November 6, 13, 20 and 27, 2019.

3.3 Submissions

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

4. Factors to be considered

The site has demonstrated consistent levels of production and employment. The production history of the operator and the proposed production levels suggest that the proposed continuation of the operation is viable. The nature in which Michael J. Mullen intends to develop and operate this landbased site is consistent with the Act, Regulations, licence requirements, guidelines and policies of the Department. The operator will also be required to comply with any other relevant Municipal, Provincial, or Federal permits, protocols, approvals, licenses or permissions that relate to conducting landbased aquaculture.

The technical information submitted with respect to the assignment application indicates that the proposed continuation of the operation is technically viable. The technical information provided suggests that required infrastructure will be in place for the proposed method and scale of operation. All aspects of the application information submitted and the subsequent review of this information support the issuance of this licence.

Michael J. Mullen will be required to possess and maintain an approved Farm Management Plan (FMP) in accordance with the *Aquaculture Management Regulations*.

5. Decision

Based on the considerations above, Aquaculture Licence #0263 shall be renewed for a period of 10 years (March 2, 2020 to March 2, 2030).

The Licence and Lease documents shall be prepared in accordance with the standard operating documents of NSDFA, and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Brennan Goreham

January 29, 2020

Brennan Goreham
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

Date