

## **Findings and Decision - Renewal Application of Paqtnkek Mi'kmaw Nation for AQ#5000**

### **1. Overview:**

On April 4, 2019 the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Paqtnkek Mi'kmaw Nation to renew Aquaculture Licence and Lease #5000 (AQ#5000), as described below:

Table 1. Description of Aquaculture Licence and Lease #5000

<b>Type:</b> Marine	<b>Size:</b> 7.51 HA
<b>Number:</b> AQ#5000	<b>Cultivation Method:</b> Suspended shellfish method
<b>Applicant:</b> Paqtnkek Mi'kmaw Nation	<b>Species:</b> American oyster
<b>Location:</b> Pomquet Harbour, Antigonish County	<b>Proposed Term:</b> One year term

### **2. History**

AQ#5000 was first issued on August 30, 2018 for a one year term (June 20, 2018 to June 20, 2019).

### **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 September 3, 2019.

#### *3.2 Public Comment Period*

Notice of the application for the renewal of AQ#5000 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of June 6, 2019 to July 4, 2019. Notice of the application was also published in the Royal Gazette Part I on June 5, June 12, June 19, June 26, and July 3, 2019.

#### *3.3 Submissions*

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

### **4. Factors to be considered**

Review of the renewal application indicates that the site will have production and thus resulting employment. Continued production as an experimental site should have a positive impact on the local and provincial economy. As an experimental site, the operator will continue to assess the viability of OysterGro cages, overwintering seed with minimum mortality, assess the potential to

grow seed from the site to marketable oysters, and training staff to determine the density and mesh size required.

The review and subsequent public comment period did not note the presence of other fishery activities in the area of the site. There is no evidence that AQ#5000 will have impacts on the sustainability of wild salmon. The continued operation of this site on an experimental basis will enable the operator to inform future decisions with respect to suspended shellfish cultivation. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters.

AQ#5000 is authorized to cultivate shellfish using suspended gear, and as such the gear must remain within the geographic boundaries of the site. Section 55 of the *Licence and Lease Regulations* requires an aquaculture licence holder to mark each of their sites in a manner determined by the Minister and keep each site marked during the term of their licence.

AQ#5000 is located in Pomquet Harbour, Antigonish County. As there are no other aquaculture sites in this body of water, there is no potential that the extent of existing aquaculture in the waterbody has exceeded the carrying capacity of the waterbody.

## 5. Decision

Based on the considerations above, Paqtnkek Mi'kmaw Nation, Aquaculture Licence #5000 and Aquaculture Lease #5000 is hereby renewed. The renewal documents shall be prepared in accordance with the standard operating documents of NSDFA and shall be made publically available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. In addition, the following condition shall apply.

## 6. Conditions

The operator shall adhere to the following site marking requirements:

- (a) mark all corners of the leased site with cautionary yellow buoys of a minimum of 60 cm in diameter;
- (b) mark all corners of the leased bottom with a cement block or similar device of a weight sufficient to ensure the cement block or device remains in place at all times; and
- (c) display the licence or lease number at 1 corner of the licensed or leased area.



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**Date**