

Findings and Decision- Renewal Application of Dale and Diana Cook carrying on business under the name of 'Corkums Island Mussel Farm for AQ#0039

1. Overview:

On November 18, 2015, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Corkums Island Mussel Farm to renew Aquaculture Licence and Lease #0039 (AQ#0039), as described below:

Table 1. Description of Aquaculture Licence and Lease #0039

Type: Marine Shellfish	Size: 1.38 HA
Number: AQ#0039	Cultivation Method: Suspended Shellfish Method
Applicant: Corkums Island Mussel Farm	Species: Blue mussel, American oyster, Giant sea scallop, European oyster, Bay scallop
Location: Lunenburg Bay, Lunenburg County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0039 was first issued on March 4, 1991 for a ten year term (March 4, 1991 to March 3, 2001). AQ#0039 was renewed on February 15, 2001 for a five year term (March 4, 2001 to March 4, 2006). AQ#0039 was renewed on March 7, 2006 for a five year term (March 4, 2006 to March 4, 2011). AQ#0039 was renewed on June 20, 2011 for a five year term (March 4, 2011 to March 3, 2016).

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(c) of the Aquaculture Licence and Lease Regulations, and was completed on February 26, 2016.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0039 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of March 3, 2016 to April 1, 2016. Notice of the application was also published in the Royal Gazette Part I on March 2, 2016, March 9, 2016, March 16, 2016, and March 23, 2016.

3.3 Submissions

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

4. Factors to be considered

AQ#0039 is one of five aquaculture sites currently issued to Corkums Island Mussel Farm. Records indicate that this site is used in conjunction with other sites held by the operator as part

of a multi-site operation. The renewal plan indicates continued production is planned for this site and therefore resulting employment. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered.

The performance review and subsequent public comment period did not note the presence of other fishery activities in the area of the site. There were no ecological concerns identified in the past performance of this site with respect to negative impacts on other fisheries. Records indicate past impacts on production by both ducks and invasive tunicates. AQ#0039 is licensed to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon. The successful growth of shellfish in the waters surrounding Corkum's Island is proven.

The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters. There are no recorded instances on file of AQ#0039 interfering with other users of the public waters surrounding the operation. AQ#0039 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 (see below) and keep each site marked during the term of their licence.

AQ#0039 is located approximately 30 metres from the shoreline at its nearest point and is within 80 metres of the nearest aquaculture site (AQ#01104), which is also licensed to Corkum's Island Mussel Farm. Thus, the physical separation of AQ#0039 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the harbour. AQ#0039 is one of five shellfish aquaculture sites located in the waters surrounding Corkum's Island, all of which are held by Corkum's Island Mussel Farm Ltd. There is no evidence to suggest that the extent of existing aquaculture in the harbour has exceeded the carrying capacity of the harbour.

5. Decision

Based on the considerations above, Aquaculture Licence #0039 shall be renewed for a period of 10 years (March 4, 2016 to March 4, 2026) and Aquaculture Lease #0039 shall be renewed for a period of 20 years (March 4, 2016 to March 4, 2036).

The Licence and Lease 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*.

6. Conditions

In addition, the following conditions shall apply:

1. The Lease and Licence shall be renewed in the name of as 'Dale and Diana Cook carrying on business under the name of 'Corkum's Island Mussel Farm'
2. 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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5/3/16

Date