

Findings and Decision- Renewal Application of Paul-Aime Joncas for AQ#0595

1. Overview:

On December 2, 2015, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Paul-Aime Joncas to renew Aquaculture Licence and Lease #0595 (AQ#0595), as described below:

Table 1. Description of Aquaculture Licence and Lease #0595

Type: Marine Shellfish	Size: 2.03 HA
Number: AQ#0595	Cultivation Method: Suspended shellfish method
Applicant: Paul-Aime Joncas	Species: Blue mussel, American oyster, Giant sea scallop, Bay scallop
Location: Mahone Bay, Lunenburg County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0595 was issued to Michael Dadswell on January 27, 1993 for a ten year term (February 1, 1993 to February 1, 2003). AQ#0595 was amended on February 24, 1993 to allow for the cultivation of Bay scallops and American oysters. AQ#0595 was amended on April 16, 1993 to allow for the cultivation of Blue mussels. AQ#0595 was renewed on September 4, 2003 for a five year term (July 1, 2003 to July 1, 2008). AQ#0595 was assigned on October 18, 2004 from Michael Dadswell to Paul-Aime-Joncas. AQ#0595 was renewed on September 30, 2008 for a five year term (July 2, 2008 to July 1, 2013). AQ#0595 was renewed on March 5, 2015 for a shortened term (July 1, 2013 to December 31, 2015).

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 December 18, 2015. The performance review satisfied both the requirements for site utilization and the renewal application.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0595 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of April 7, 2016 to May 6, 2016. Notice of the application was also published in the Royal Gazette Part I on April 6, 2016, April 13, 2016, April 20, 2016, and April 27, 2016.

3.3 Submissions

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

4. Factors to be considered

AQ#0595 had significant production historically; however, there has been minimal production in recent years, with several years of no production. As such, AQ#0595 was reviewed as part of the Department's site utilization review. Operations have recommenced which show a commitment to future production and employment. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be applied to AQ#0595 once again.

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 the presence of invasive tunicates. AQ#0595 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. Past instances of non-compliant gear have been addressed by the operator and the site is now deemed to be in compliance. AQ#0595 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#0595 is located approximately 1.0 km from Graves Island Provincial Park and the western boundary is approximately 1.5 km from the shoreline. The nearest aquaculture site (AQ#0652), is located approximately 1.2 km from AQ#0595. Thus, the physical separation of AQ#0595 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the harbour. AQ#0595 is one of three aquaculture leases in the area, and 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 #0595 shall be renewed for a period of 10 years (December 31, 2015 to December 31, 2026) and Aquaculture Lease #0595 shall be renewed for a period of 20 years (December 31, 2015 to December 31, 2035).

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 condition shall apply:

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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5/30/16
Date