

**Findings and Decision- Renewal Application of Bill & Stanley Oyster Company Ltd. for AQ#0747**

**1. Overview:**

On October 14, 2015, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Bill & Stanley Oyster Company Ltd. to renew Aquaculture Licence and Lease #0747 (AQ#0747), as described below:

Table 1. Description of Aquaculture Licence and Lease #0747

<b>Type:</b> Marine Shellfish	<b>Size:</b> 5.47 HA
<b>Number:</b> AQ#0747	<b>Cultivation Method:</b> Suspended Cultivation
<b>Applicant:</b> Bill & Stanley Oyster Company Ltd.	<b>Species:</b> Blue mussel, Giant sea scallop, American oyster
<b>Location:</b> Country Harbour, Guysborough County	<b>Proposed Term:</b> 10 year Licence/20 year Lease

**2. History**

AQ#0747 was first issued to Country Harbour Sea Farms Co-operative Limited on April 19, 1996, for a ten year term (April 19 1996 to April 19, 2006). AQ#0747 was assigned on November 1, 1997 from County Harbour Sea Farms Co-Operative Limited to County Harbour Sea Farms Limited. AQ#0747 was assigned on June 16, 2006 from County Harbour Sea Farms Co-Operative Limited to 2382144 Nova Scotia Limited. Also on June 16, 2006, AQ#0747 was renewed in the name of 2382144 Nova Scotia Limited for a five year term (April 19, 2006 to April 19, 2011). AQ#0747 was assigned on September 17, 2008 from 2382144 Nova Scotia Limited to Atlantic Aqua Farms Partnership. AQ#0747 was renewed on November 26, 2013 for a five year term (April 19, 2011 to April 19, 2016). AQ#0747 was assigned on February 1, 2014 from Atlantic Aqua Farms Partnership to Bill & Stanley Oyster Company Ltd. AQ#0747 was amended on May 29, 2014 to allow for the suspended cultivation of American oyster.

**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 November 6, 2015.

*3.2 Public Comment Period*

Notice of the application for the renewal of AQ#0747 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of February 3, 2016 to March 3, 2016. Notice of the application was also published in the Royal Gazette Part I on February 3, 2016, February 10, 2016, February 17, 2016, and February 24, 2016.

### 3.3 Submissions

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

### 4. Factors to be considered

AQ#0747 is an integral component of the operators plans to incrementally develop a multi-site oyster aquaculture operation in Guysborough County. Records indicate recent employment since the 2014 assignment. 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. Performance review indicates that successful development of this site will have a positive impact on the local and provincial economy.

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. AQ#0747 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 blue mussels in Country Harbour is proven; however, the operator intends to grow American oysters on this site. Preliminary results suggest that the environment is conducive to the successful growth of oysters. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters.

AQ#0747 is located approximately 0.9 km from the Country Harbour ferry, and is also located within 1.0 km of local beaches. There are no recorded instances on file of AQ#0747 interfering with other users of the public waters surrounding the operation. AQ#0747 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#0747 is located approximately 40 metres from the shoreline at its nearest point and is partially opposite AQ#1307, which is approximately 350 metres northeast of AQ#0747. This physical separation from the shoreline and neighbouring aquacultures sites provides a main navigation corridor in the harbour. AQ#0747 is one of six shellfish aquaculture sites located within Country Harbour, four others of which are within 5 km of AQ#0747. 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 #0747 shall be renewed for a period of 10 years (April 19, 2016 to April 19, 2026) and Aquaculture Lease #0747 shall be renewed for a period of 20 years (April 19, 2016 to April 19, 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 condition shall apply:

Bill & Stanley Oyster Company Limited 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.

*Brennan Goreham*

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**Brennan Goreham**  
**Aquaculture Administrator**  
**Nova Scotia Department of Fisheries and Aquaculture**

5/3/16  
Date