

Findings and Decision - Renewal Application of Indian Point Marine Farms Ltd. for AQ#0886

1. Overview:

On February 25, 2016, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Indian Point Marine Farms Ltd. to renew Aquaculture Licence and Lease #0886 (AQ#0886), as described below:

Table 1. Description of Aquaculture Licence and Lease #0886

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Type: Marine Shellfish	Size: 1.5 HA
Number: AQ#0886	Cultivation Method: Suspended Shellfish
Applicant: Indian Point Marine Farms Ltd.	Species: Blue mussel, Giant sea scallop and European oyster
Location: Mahone Bay, Lunenburg County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0886 was first issued on August 12, 1996 for a ten year term (August 12, 1996 to August 12, 2006). AQ#0886 was renewed on August 23, 2006 for a five year term (August 12, 2006 to August 12, 2011). AQ#0886 was renewed on February 23, 2012 for a five year term (August 12, 2011 to August 11, 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 May 31, 2016.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0886 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 23, 2016 to July 22, 2016. Notice of the application was also published in the Royal Gazette Part I on June 22, 2016, June 29, 2016, July 6, 2016, and July 13, 2016.

3.3 Submissions

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

4. Factors to be considered

Review of the file indicates many years of successful production. The renewal plan indicates continued production is planned for this site, which will create local 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 are no ecological concerns identified in the past

performance of this site with respect to negative impacts on other fisheries. Records indicate past instances of invasive species impacting production. AQ#0886 is authorized to conduct suspended cultivation of marine shellfish. 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. Also, it is a requirement for the equipment and aquacultural produce to remain within the geographic boundaries of that site.

The successful growth of shellfish in the area using suspended methods has been proven. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters. AQ#0886 is located approximately 40 metres from Sheep Island, and is located approximately 120 metres from the nearest aquaculture operation (AQ#0049 - Also issued to Indian Point Marine Farms Ltd.). The physical separation from the shoreline and other aquaculture sites provides for navigation channels within the waterway. There is no evidence to suggest that the extent of existing aquaculture in the area has exceeded the carrying capacity of the area. AQ#0886 is licensed for shellfish aquaculture, and there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon.

5. Decision

Based on the considerations above, Aquaculture Licence #0886 shall be renewed for a period of 10 years (August 12, 2016 to August 12, 2026) and Aquaculture Lease #0886 shall be renewed for a period of 20 years (August 12, 2016 to August 12, 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:

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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8/3/16

Date