

Findings and Decision- Renewal Application of Anita Basque for AQ#0991

1. Overview:

On February 22, 2016, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Anita Basque to renew Aquaculture Licence and Lease #0991 (AQ#0991), as described below:

Table 1. Description of Aquaculture Licence and Lease #0991

Type: Marine Shellfish	Size: 2.45 HA
Number: AQ#0991	Cultivation Method: Bottom shellfish without gear method
Applicant: Anita Basque	Species: American oyster
Location: St. Peter's Inlet, Richmond County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0991 was first issued to Anita Martell on May 13, 1996 for a ten year term (May 13, 1996 to May 13, 2006). AQ#0991 was assigned on March 3, 1999 from Anita Martell to Anita Basque. AQ#0991 was renewed on November 10, 2006 for a five year term (May 13, 2006 to May 12, 2011). AQ#0991 was renewed on November 26 2013 for a five year term (May 12, 2011 to May 12, 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 April 8, 2016.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0991 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 14, 2016 to May 13, 2016. Notice of the application was also published in the Royal Gazette Part I on April 13, 2016, April 20, 2016, April 27, 2016, and May 4, 2016.

3.3 Submissions

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

4. Factors to be considered

AQ#0991 is located in waters which are MSX positive; as such, there has been no production on this site for a number of years. On-going efforts to address the issue of MSX in the Bras d'Or Lakes could lead to AQ#0991 coming into full production. Oyster aquaculture is an important sector of the Nova Scotia aquaculture sector, and AQ#0991 coming into production would 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. Records indicate presence of both invasive species and predation. AQ#0991 is authorized for the bottom cultivation of shellfish without gear, and as such there is no gear permitted within the boundaries of the lease which mitigates concerns pertaining to navigation. 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#0991 is located in the nearshore environment, and is approximately 20 metres from Alick Island. The licence and lease documents for AQ#0991 will allow for access to the site by the general public for recreational activities, provided that the public does not harvest the product on site. This clause serves to reduce potential interference with other users. AQ#0991 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 closest aquaculture site to AQ#0991 is AQ#1232, which is on the opposite side of Alick Island and is approximately 0.25 km away. There are 10 other bottom culture shellfish sites within 2.0 km of AQ#0991. 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 #0991 shall be renewed for a period of 10 years (May 13, 2016 to May 13, 2026) and Aquaculture Lease #0991 shall be renewed for a period of 20 years (May 13, 2016 to May 13, 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.



Brennan Goreham
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Nova Scotia Department of Fisheries and Aquaculture

May 24, 2016
Date