

Findings and Decision- Renewal Application of Long Beach Farms Limited for AQ#1012

1. Overview:

On February 22, 2016, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Long Beach Farms Limited to renew Aquaculture Licence and Lease #1012 (AQ#1012), as described below:

Table 1. Description of Aquaculture Licence and Lease #1012

Type: Marine Finfish	Size: 19.50 HA
Number: AQ#1012	Cultivation Method: Suspended cage cultivation
Applicant: Long Beach Farms Limited	Species: Atlantic salmon, Rainbow trout
Location: St. Mary's Bay, Digby County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1012 was first issued to Harold Theriault on September 30, 1996 for a ten year term (September 30, 1996 to September 30, 2006). AQ#1012 was amended on May 26, 1997 to allow for the experimental cultivation of flounder for a period of five months (May 30, 1997 to October 30, 1997). AQ#1012 was assigned on July 30, 2001 from Harold Theriault to Long Beach Farms Limited. AQ#1012 was assigned on July 30, 2001 from Long Beach Farms Limited to Nantucket Seafarm Inc. AQ#1012 was assigned on June 1, 2004 from Nantucket Seafarm Inc. to Long Beach Farms Limited. AQ#1012 was amended on November 24, 2004 to increase the size from 3.00 Hectares to 19.50 Hectares.

AQ#1012 was reissued on January 4, 2005 for a ten year term (December 6, 2004 to December 6, 2014). AQ#1012 was assigned on February 2, 2005 from Long Beach Farms Limited to Admiral Fish Farms Limited for the period of December 15, 2004 to May 24, 2008, after which the interest in the site reverted to Long Beach Farms Limited. AQ#1012 was assigned on October 14, 2008 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. for the period of September 1, 2008 to October 31, 2010, after which the interest in the site reverted to Long Beach Farms Limited. AQ#1012 was assigned on September 27, 2010 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. for the period of October 31, 2010 to December 31, 2010, after which the interest in the site reverted to Long Beach Farms Limited. AQ#1012 was assigned on March 1, 2011 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. for the period of January 1, 2011 to March 31, 2011, after which the interest in the site reverted to Long Beach Farms Limited. AQ#1012 was assigned on April 19, 2011 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. for the period of April 1, 2010 to April 29, 2011, after which interest in the site reverted to Long Beach Farms Limited. AQ#1012, as part of the Department's site utilization initiative, was renewed on February 2, 2015 for a shortened renewal tenure (December 6, 2014 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 February 29, 2016

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1012 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

Review of the file indicates the site has not had production in recent years; however, the site has demonstrated production historically. The renewal plan indicates that the operators intend to introduce product, onto the site, which will lead to employment. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. The renewal plan indicates intended contributions to the local economy through the use of a variety of supporting services.

The performance review noted the presence of a lobster fishery within 5 km of the site. There were no ecological concerns identified in the past performance of this site with respect to negative impacts on the lobster industry. Other fishery activities in St. Mary's Bay include the scallop fishery and other types of aquaculture. There were also no concerns identified with respect to impacts on these activities. 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 (see below). Also, it is a requirement for the equipment and aquacultural produce to remain within the geographic boundaries of that site.

Past Environmental Monitoring Program results have indicated that oxic conditions were maintained in the benthic environment. Temperature recording equipment has recently been placed at the site to allow for a more detailed temperature profile to be compiled. Also, the collection of additional current data is planned. Both types of data will be collected by NSDFA for further review. There is no information on file regarding ecological concerns involving species listed through the *Species at Risk Act (SARA)*, including wild Atlantic salmon. Long Beach Farms Limited is required to adhere to all elements of the *Aquaculture Management* regulations, which outline criteria for containment management. Long Beach Farms Limited will be required to implement a Farm Management Plan, to be approved by the Department, which will further define their measures to minimize potential impacts on wild salmon.

AQ#1012 is located in St. Mary's Bay, and is approximately 7.5 km away from the nearest aquaculture site (AQ#1037, which is licensed for shellfish). AQ#1012 is approximately 17.5 km away from the nearest issued marine finfish aquaculture site (AQ#1354). As such, the Minister of Fisheries and Aquaculture may use his discretion to establish an aquaculture management area, as per Section 16 of the *Aquaculture Management Regulations*. There is no evidence to suggest that the extent of existing aquaculture in the area has exceeded the carrying capacity of the area.

5. Decision

Based on the considerations above, Aquaculture Licence #1012 shall be renewed for a period of 10 years (December 31, 2015 to December 31, 2025) and Aquaculture Lease #1012 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*.

In addition, the following condition shall apply.

6. Condition(s)

Long Beach Farms 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
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

5/3/16
Date