

Findings and Decision- Renewal Application of Aquaprime Mussel Ranch Limited for AQ#1242

1. Overview:

On February 23, 2016, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Aquaprime Mussel Ranch Limited to renew Aquaculture Licence and Lease #1242 (AQ#1242), as described below:

Table 1. Description of Aquaculture Licence and Lease #1242

Type: Marine Shellfish	Size: 23.00 HA
Number: AQ#1242	Cultivation Method: Suspended shellfish method
Applicant: Aquaprime Mussel Ranch Limited	Species: Blue mussel, Giant sea scallop and European oyster
Location: Ship Harbour, Halifax County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1242 was first issued to Aquaprime Mussel Ranch Limited on May 2, 2001 for a five year term (June 19, 2001 to June 19, 2006). AQ#1242 was renewed on July 11, 2006 for a five year term (June 19, 2006 to June 19, 2011). AQ#1242 was renewed on November 21, 2011 for a five year term (June 19, 2011 to June 18, 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 26, 2016.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1242 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 28, 2016 to May 27, 2016. Notice of the application was also published in the Royal Gazette Part I on April 27, 2016, May 4, 2016, May 11, 2016, and May 18, 2016.

3.3 Submissions

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

4. Factors to be considered

AQ#1242 is one of nine shellfish aquaculture sites currently held by Aquaprime Mussel Ranch Limited. Records indicate consistent production and resultant employment. The renewal plan indicates continued production is planned for this site and therefore resulting employment. The operator contributes to the local economy through their processing and shipping facility and

relationships with other Nova Scotia seafood companies. 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 were no ecological concerns identified in the past performance of this site with respect to negative impacts on other fisheries. Records indicate impacts of invasive species and duck predation, with mitigation efforts on-going to address these challenges. AQ#1242 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 Ship Harbour is proven. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters.

There are no recorded instances on file of AQ#1242 interfering with other users of the public waters surrounding the operation. AQ#1242 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. Ensuring that the required site markings are in place will be a focus of on-going site monitoring.

AQ#1242 is located in the upper regions of Ship Harbour. AQ#1242 is located in the nearshore environment, within 40 metres of the shoreline on the northern boundary and within 100 metres for much of the western boundary. The centre of AQ#1242 is within 1.0 km of four additional aquaculture sites, all used to Aquaprime Mussel Ranch Limited. The physical separation of AQ#1242 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the harbour. 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 #1242 shall be renewed for a period of 10 years (June 19, 2016 to June 19, 2026) and Aquaculture Lease #1242 shall be renewed for a period of 20 years (June 19, 2016 to June 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:

Aquaprime Mussel Ranch 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.

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7/5/16

Date