

**Findings and Decision- Renewal Application of Bill & Stanley Oyster Company Ltd for  
AQ#0001**

**1. Overview:**

On February 3, 2017, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Bill & Stanley Oyster Company Ltd. to renew Aquaculture Licence and Lease #0001 (AQ#0001), as described below:

Table 1. Description of Aquaculture Licence and Lease #0001

<b>Type:</b> Marine	<b>Current Size:</b> 50.16 HA
<b>Number:</b> AQ#0001	<b>Current Cultivation Method:</b> Suspended shellfish method
<b>Applicant:</b> Bill & Stanley Oyster Company Ltd.	<b>Current Species:</b> Blue mussel, American oyster
<b>Location:</b> Country Harbour, Guysborough County	<b>Proposed Term:</b> 10 year Licence/20 year Lease

**2. History**

AQ#0001 was first issued to Little Harbour Fisheries -Division of Scuba Services Limited on March 3<sup>rd</sup>, 1987 for a ten year term (March 1<sup>st</sup>, 1987 to February 28<sup>th</sup>, 1997). AQ#0001 was assigned on June 17, 1992 from Little Harbour Fisheries- Division of Scuba Services Limited to Aquaprime Mussel Ranch Limited. AQ#0001 was assigned on June 26, 1992 from Aquaprime Mussel Ranch Limited to Country Harbour Sea Farms Co-op Ltd. AQ#0001 was renewed on September 15, 1997 for a five year term (September 15, 1997 to September 15, 2002). AQ#0001 was renewed on January 28, 2003 for a five year term (September 15, 2002 to September 15, 2007). AQ#0001 was assigned on June 16, 2006 from Country Harbour Sea Farms Co-op Ltd. to 2382144 Nova Scotia Limited. AQ#0001 was renewed on January 31, 2008 for a five year term (September 15, 2007 to September 15, 2012). AQ#0001 was assigned on September 17, 2008 from 2382144 Nova Scotia Limited to Atlantic Aqua Farms Partnership. AQ#0001 was renewed on November 26, 2013 for a five year term (September 14, 2012 to September 14, 2017). AQ#0001 was assigned on February 13, 2014 from Atlantic Aqua Farms Partnership to Bill & Stanley Oyster Company Ltd. AQ#0001 was amended on May 29, 2014 to authorize the suspended cultivation of American oyster. AQ#0001 was amended on October 14, 2014 to expand the site boundaries from 49.16 HA to 50.16 HA.

**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 March 6, 2017.

### *3.2 Public Comment Period*

Notice of the application for the renewal of AQ#0001 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 8 until July 7, 2017. Notice of the application was also published in the Royal Gazette Part I on June 8, 15, 22, 29 and July 6, 2017.

### *3.3 Submissions*

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

## **4. Factors to be considered**

AQ#0001 is an integral component of the operators plans to incrementally develop a multi-site oyster aquaculture operation in Guysborough County. Records indicate recent employment and production 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 operator has also recently established a processing facility in Guysborough County.

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#0001 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.

There are no recorded instances on file of AQ#0001 interfering with other users of the public waters surrounding the operation. AQ#0001 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#0001 is located on the western side of Country Harbour. AQ#0001 is located in the nearshore environment, with distance to the shoreline of approximately 30 metres at its nearest point. AQ#0001 is within approximately 1.0 km of two other suspended shellfish sites (AQ#0621 and AQ#0623, both licensed to Bill & Stanley Oyster Company Ltd.). Thus, the physical separation of AQ#0001 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the harbour. AQ#0001 is one of six shellfish aquaculture sites located within Country Harbour, all of which are held by Bill & Stanley Oyster Company Ltd. 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 #0001 shall be renewed for a period of 10 years (September 14, 2017 to September 14, 2027) and Aquaculture Lease #0001 shall be renewed for a period of 20 years (September 14, 2017 to September 14, 2037).

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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**Nova Scotia Department of Fisheries and Aquaculture**

8/19/17  
**Date**