

Findings and Decision - Renewal Application of Wayne Turple for AQ#0055

1. Overview:

On January 6, 2017, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Wayne Turple to renew Aquaculture Licence and Lease #0055 (AQ#0055), as described below:

Table 1. Description of Aquaculture Licence and Lease #0055

Type: Marine Shellfish	Size: 5.40 HA
Number: AQ#0055	Cultivation Method: Suspended shellfish method
Applicant: Wayne Turple	Species: Blue mussel, European oyster, Bay scallop, Giant sea scallop
Location: Mahone Bay, Lunenburg County	Proposed Term: 10 year licence/20 year lease

2. History

AQ#0055 was first issued on August 16, 1989 to Wayne Turple for a ten year term (August 1, 1989 to August 1, 1999). AQ#0055 was amended on August 16, 1990 to authorize the cultivation of Bay scallop. AQ#0055 was amended on August 9, 1994 to increase the size of the site. AQ#0055 was renewed on May 11, 1999 for a five year term (August 1, 1999 to August 1, 2004). AQ#0055 was renewed on June 12, 2004 for a five year term from (August 1, 2004 to August 1, 2009). AQ#0055 was renewed on December 22, 2009 for a five year term (August 2, 2009 to August 1, 2014). AQ#0055 was renewed on April 9, 2015 for a three year term (August 2, 2014 to August 2, 2017). AQ#0055 was amended on October 21, 2015 to authorize the cultivation of Giant sea scallop.

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 January 23, 2017.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0055 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of February 9, 2017 to March 10, 2017. Notice of the application was also published in the Royal Gazette Part I on February 8, 2017, February 15, 2017, February 22, 2017 and March 1, 2017.

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 years of successful production of blue mussels. The renewal plan indicates Giant sea scallop production is planned for the site, which will create employment. Should the operator not operate the site as indicated in the renewal plan, 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 instances of invasive species (*Ciona*) which impacts production. AQ#0055 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#0055 is located approximately 300 meters from the neighbouring shoreline, and is located approximately 100 meters from the nearest aquaculture operation (AQ#0055 - also issued to Wayne Turple). 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#0055 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 #0055 shall be renewed for a period of 10 years (August 2, 2017 to August 2, 2027) and Aquaculture Lease #0055 shall be renewed for a period of 20 years (August 2, 2017 to August 2, 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.

Brennan Goreham

Brennan Goreham
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

March 15, 2017

Date