

## Findings and Decision - Renewal Application of Innovative Fishery Products Incorporated for AQ#0829

### 1. Overview:

On July 15, 2016, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Innovative Fishery Products Incorporated to renew Aquaculture Licence and Lease #0829 (AQ#0829), as described below:

Table 1. Description of Aquaculture Licence and Lease #0829

<b>Type:</b> Marine Finfish	<b>Size:</b> 4.04 HA
<b>Number:</b> AQ#0829	<b>Cultivation Method:</b> Suspended cage cultivation
<b>Applicant:</b> Innovative Fishery Products Incorporated	<b>Species:</b> Atlantic salmon, Rainbow trout, Arctic char
<b>Location:</b> St. Mary's Bay, Digby County	<b>Proposed Term:</b> 10 year Licence/20 year Lease

### 2. History

AQ#0829 was first issued to Vince Stuart and Rodney Barnaby on March 7, 1995 for a ten year term (March 13, 1995 to March 13, 2005). AQ#0829 was renewed on March 17, 2005 for a five year term (March 13, 2005 to March 13, 2010). AQ#0829 was assigned on April 22, 2005 from Vince Stuart and Rodney Barnaby to Innovative Fishery Products Incorporated. AQ#0829 was renewed on June 28, 2010 for a five year term (March 13, 2010 to March 12, 2015). AQ#0829 was amended on January 19, 2011 to authorize the cultivation of Bay quahog and Soft shell clam for a period of two years.

### 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 August 9, 2016.

#### 3.2 *Public Comment Period*

Notice of the application for the renewal of AQ#0829 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, 15, 22 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 does not indicate production over the past tenure of the lease and licence; however, information submitted in support of the renewal suggests future development and resulting production and employment. The operator intends to amend the licence and lease to allow for the cultivation of shellfish species, and does not intend to cultivate finfish species. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. Innovative Fishery Products Incorporated operates additional aquaculture sites in the area for several species.

Other fishing activities occur in the Brier Island area; however, there is no indication that development of the site for shellfish aquaculture will pose ecological concerns or have an impact on the sustainability of wild salmon. The successful growth of other shellfish species is proven in St. Mary's Bay; however, the suspended cultivation of shellfish at this exact location has not been proven to date.

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#0829 interfering with other users of the public waters surrounding the operation. AQ#0829 is authorized to use 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#0829 is located in the near-shore environment of Brier Island near the community of Westport, approximately 20 metres from the shoreline at its nearest point. AQ#0829 is within approximately 1.20 km of the nearest aquaculture site (AQ#0742 issued to Kelly Cove Salmon Ltd.). Also, AQ#0829 is located near the route of the Freeport-Westport Digby ferry. The physical separation of AQ#0829 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the passage. As AQ#0829 is located near the ferry route, ensuring required site markings are in place will be a focus of on-going site monitoring. There is no evidence to suggest that the extent of existing aquaculture sites within the harbour has exceeded the carrying capacity of the harbour.

## **5. Decision**

Based on the considerations above, Aquaculture Licence #0829 shall be renewed for a period of 10 years (March 13, 2015 to March 13, 2025) and Aquaculture Lease #0829 shall be renewed for a period of 20 years (March 13, 2015 to March 13, 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*.

## **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**

*April 11, 2017*

**Date**