

## **Findings and Decision- Renewal Application of Premium Seafoods Ltd. for AQ#0692**

### **1. Overview:**

On April 21, 2017, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Premium Seafoods Ltd. to renew Aquaculture Licence and Lease #0692 (AQ#0692), as described below:

Table 1. Description of Aquaculture Licence and Lease #0692

<b>Type:</b> Marine	<b>Current Size:</b> 8.22 HA
<b>Number:</b> AQ#0692	<b>Current Cultivation Method:</b> Suspended Cultivation
<b>Applicant:</b> Premium Seafoods Limited	<b>Current Species:</b> Blue mussel, American oyster, Giant sea scallop
<b>Location:</b> Arichat Harbour, Richmond County	<b>Proposed Term:</b> 10 year Licence/20 year Lease

### **2. History**

AQ#0692 was first issued to Andrew Leblanc on July 11, 1994 for a ten year term (July 18, 1994 to July 18, 2004). AQ#0692 was assigned on May 26, 1999 from Andrew LeBlanc to Madame Isle Sea Farms Ltd. AQ#0692 was assigned on June 20, 2001 from Ernst & Young Inc. to 3057289 Nova Scotia Ltd. AQ#0692 was issued to 3057289 Nova Scotia Limited on October 25, 2001 for a three year term from October 25, 2001 to October 25, 2004. AQ#0692 was issued to Darren E. Porter on April 25, 2006 for a five year term from March 1, 2006 to March 1, 2011. AQ#0692 was issued to Premium Seafoods Limited on November 21, 2012 for a five year term from October 24, 2012 to October 23, 2017.

### **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 July 11, 2017.

#### *3.2 Public Comment Period*

Notice of the application for the renewal of AQ#0692 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of August 3, 2017 to September 1, 2017. Notice of the application was also published in the Royal Gazette Part I on August 2, 9, 16 and 23, 2017.

#### *3.3 Submissions*

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

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

A review of the file indicates Giant sea scallop production in recent years; however, the renewal plan indicates planned production of American oysters. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. The performance review indicates that successful development of this site will have a positive impact on the local and provincial economy. Premium Seafoods Limited also operates a multi-species seafood processing operation in Arichat.

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. The site is located in waters that are currently classified as *Approved* for shellfish cultivation by the Canadian Shellfish Sanitation Program. AQ#0692 is licensed to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon.

There are no recorded instances on file of AQ#0692 interfering with other users of the public waters surrounding the operation. AQ#0692 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#0692 is approximately 220 metres from the shoreline at its nearest point. AQ#0692 is one of three aquacultures sites located within Arichat Harbour. AQ#0667 (Marine Shellfish) is located approximately 0.60 km to the south of AQ#0692, and AQ#0714 (Marine Finfish) within approximately 1.30 km to the west of AQ#0692. Thus, the physical separation of AQ#0692 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 #0692 shall be renewed for a period of 10 years (October 23, 2017 to October 23, 2027) and Aquaculture Lease #0692 shall be renewed for a period of 20 years (October 23, 2017 to October 23, 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**

**SEP 15 2017**

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**Date**