

Findings and Decision- Renewal Application of Ronald Boudreau for AQ#0667

1. Overview:

On April 3, 2018, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Ronald Boudreau to renew Aquaculture Licence and Lease #0667 (AQ#0667), as described below:

Table 1. Description of Aquaculture Licence and Lease #0667

Type: Marine	Size: 8.03 HA
Number: AQ#0667	Cultivation Method: Suspended cultivation
Applicant: Ronald Boudreau	Species: Blue mussel, Giant sea scallop
Location: Cape Auguet Bay, Richmond County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0667 was first issued on September 1, 1993 to Cape Auguet Fish Farms for a ten year term (September 6, 1993 to September 6, 2003). AQ#0667 was renewed on February 13, 2004 for a five year term (October 1, 2003 to October 1, 2008). AQ#0067 was assigned on October 31, 2006 from Cape Auguet Fish Farms to Ronald Boudreau. AQ#0667 was renewed on February 10, 2009 for a five year term (October 2, 2008 to October 1, 2013). AQ#0667 was renewed on June 18, 2014 for a five year term (October 1, 2013 to October 1, 2018).

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 September 28, 2018.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0667 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 7, 2018 to July 6, 2018. Notice of the application was also published in the Royal Gazette Part I on June 13, June 20, June 27 and July 4, 2018.

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 that indicates Giant sea scallop production in recent years with resulting employment. The site is currently operated as a nursery of Giant sea scallop, and supplies other aquaculture operators with product. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. The performance review indicates successful development of this site will have a positive impact on the local and provincial economy.

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# 0667 is licenced 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#0667 interfering with other users of the public waters surrounding the operation. AQ#0667 is authorized to cultivate shellfish using suspended gear, and as such the gear must remain within the amended geographic boundaries of this 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, and keep each site marked during the term of their licence and lease. Furthermore, the operator is required to adhere to the navigation protection provisions of Transport Canada.

AQ#0667 is approximately 100 metres from the shoreline at its nearest point. AQ#0667 is one of three aquaculture sites located within Arichat Harbour. AQ#0667 is located approximately 0.60 km to the south of AQ#0692 (marine shellfish), and AQ#0714 (marine finfish) is approximately 1.60 km to the northwest of AQ#0667. Thus, the physical separation of AQ#0667 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 #0667 shall be renewed for a period of 10 years (October 1, 2018 to October 1, 2028) and Aquaculture Lease #0667 shall be renewed for a period of 20 years (October 1, 2018 to October 1, 2038).

The Licence and Lease documents shall be prepared in accordance with the standard operating documents of NSDFA, and shall be made publicly 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

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9/28/18

Date