

Findings and Decision- Renewal Application of Bill and Stanley Oyster Limited for AO#1307

1. Overview:

On, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from September 22, 2017 to renew Aquaculture Licence and Lease #1307(AQ#1307), as described below:

Table 1. Description of Aquaculture Licence and Lease #1307

Type: Marine Shellfish	Size: 6.93 HA
Number: AQ#1307	Cultivation Method: Suspended shellfish method
Applicant: Bill & Stanley Oyster Company Limited	Species: Blue Mussel, American oyster
Location: Country Harbour, Guysborough County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1307 was first issued on September 12, 2008 for a ten year term (September 12, 2008 to August 7, 2018). AQ#1307 was assigned from 2382144 Nova Scotia Limited to Atlantic Aqua Farms Partnership on September 17, 2008. AQ1307 was amended on September 10, 2008 to authorize the suspended cultivation of blue mussel. AQ#1307 was assigned on February 13, 2014 from Atlantic Aqua Farms Partnership to Bill & Stanley Oyster Company Limited. AQ#1307 was amended on May 29, 2014 to authorize the cultivation of American oyster.

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 16, 2018.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1307 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of March 8, 2018 to April 6, 2018. Notice of the application was also published in the Royal Gazette Part I on March 14, 2018, March 21, 2018, March 28, 2018 and April 4, 2018.

3.3 Submissions

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

4. Factors to be considered

AQ#1307 is a part of the operator's multi-site oyster aquaculture operation in Guysborough County, which also includes a processing operation. The renewal plan indicated 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 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 the negative impact to the other fisheries. The successful growth of shellfish species in Country Harbour is proven. There is no evidence that the renewal of AQ#1307 will have impacts on the sustainability of wild salmon. The information reviewed during the performance review did not indicate adverse impacts on the surrounding waters.

AQ#1307 is authorized to cultivate shellfish species 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 and keep each site marked during the term of their licence. AQ#1307 must also continue to hold approval from Transport Canada as it relates to navigable waters. Also, it is a requirement for the equipment and aquacultural produce to remain within the geographic boundaries of the site.

AQ#1307 is located in the outer portion of Country Harbour, approximately 50 meters from the shoreline at its nearest point. AQ#1307 is approximately 350 metres from the nearest aquaculture site (AQ#0747, also licensed to Bill & Stanley Oyster Company Limited). AQ#1307 is one of six shellfish aquaculture sites located within Country Harbour. The physical separation from the shoreline and neighboring aquaculture sites provides a main navigation corridor in the harbour. There is no evidence to suggest that the extent of existing aquaculture in the harbor has exceeded the carrying capacity of the harbor.

5. Decision

Based on the considerations above, Aquaculture Licence #1307 shall be renewed for a period of 10 years (August 7, 2018 to August 7, 2028) and Aquaculture Lease #1307 shall be renewed for a period of 20 years (August 7, 2018 to August 7, 2038).

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*.



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Nova Scotia Department of Fisheries and Aquaculture

April 24, 2018
Date