

**Findings and Decision- Renewal Application of Bill & Stanley Oyster Company Ltd. for
AQ#1308**

1. Overview:

On September 22, 2017, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Bill & Stanley Oyster Company Ltd. to renew Aquaculture Licence and Lease #1308 (AQ#1308), as described below.

Table 1. Description of Renewal Application

Type: Marine Shellfish	Current Size: 135.76 HA
Number: AQ#1308	Cultivation Method: Suspended shellfish
Applicant: Bill & Stanley Oyster Company Ltd	Species: Blue mussel, American oyster, Dulse, kelp, Sea lettuce
Location: Mary Joseph Harbour, Guysborough County	Proposed Term: 10 year Licence/ 20 year term

2. History

AQ#1308 was first issued to 2382144 Nova Scotia Limited on May 5, 2008 for a ten year term (April 14, 2008 to April 13, 2018). On September 17, 2008, AQ#1308 was assigned from 2382144 Nova Scotia Limited to Atlantic Aqua Farms Partnership. On February 13, 2014, AQ #1308 was assigned from Atlantic Aqua Farms Partnership to Bill & Stanley Oyster Company Ltd. AQ#1308 was amended on May 19, 2014 to allow for the cultivation of American oyster. AQ#1308 was amended on September 27, 2016 to allow for the cultivation of various marine plant species.

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#1308 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of December 7, 2017 to January 5, 2018. Notice of the application was also published in the Royal Gazette Part I on December 6, December 13, December 20 and December 27, 2017.

3.3 Submissions

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

4. Factors to be considered

AQ#1308 is an integral component of the operators plans to incrementally develop a multi-site aquaculture operation in Guysborough County. The operation intends to primarily produce American oysters. Should the operator not operate the site as indicated, 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 were no ecological concerns identified in the past performance of this site with respect to negative impacts on other fisheries. There is no evidence that the renewal of AQ#1308 will have impacts on the sustainability of wild salmon. 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#1308 interfering with other users of the public waters surrounding the operation. AQ#1308 is authorized to cultivate both shellfish and marine plants 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#1308 is located at the mouth of Jewers Bay, approximately 80 metres from the shoreline at its nearest point. The nearest site to AQ#1308 is AQ#0028 (also issued to Bill & Stanley Oyster Company Ltd.), which is approximately 1.4 km away. Thus, the physical separation of AQ#1308 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 #1308 shall be renewed for a period of 10 years (April 13, 2018 to April 13, 2028) and Aquaculture Lease #1308 shall be renewed for a period of 20 years (April 13, 2018 to April 13, 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*.

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.

7. **Decision**

Brennan Goreham

Brennan Goreham
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

Feb. 6/18

Date