

Findings and Decision - Amendment Application of Bounty Bay Shellfish Inc. for AQ#0921

1. Overview:

On March 20, 2020, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Bounty Bay Shellfish Inc. to amend Aquaculture Licence and Lease #0921 (AQ#0921), as described below:

Table 1. Description of Aquaculture Licence and Lease #0921

Type: Marine	Size: 6.83 HA
Number: AQ#0921	Cultivation Method: Suspended cultivation
Applicant: Bounty Bay Shellfish Inc.	Current Species: Blue mussel, Giant sea scallop
Location: Lennox Passage, Richmond County	Proposed Amendment: Addition of species – Sugar kelp

2. History

AQ#0921 was first issued to Kevin King on September 22, 1995. AQ#0921 was assigned on January 15, 2001 to Bounty Bay Shellfish Inc. On April 14, 2015, AQ#0921 was amended to increase the size of the site from 4.20 Ha to 6.83 Ha. On August 13th, 2018, an amendment was made regarding the harvesting of giant sea scallop. On November 27, 2020, AQ#0921 was renewed for a ten year term for the licence (September 23, 2020 to September 24, 2030) and a twenty year term for the lease (September 23, 2020 to September 24, 2040).

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their amendment application was completed. This review recommended that the amendment be approved based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(d) of the Aquaculture Licence and Lease Regulations and was completed on November 24, 2020.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0921 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of October 8, 2020 to November 6, 2020. Notice of the application was also published in the Royal Gazette Part I on October 7, 14, 21, 28 and November 4, 2020.

3.3 Submissions

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

4. Factors to be considered

AQ#0921 has had cyclical production over the past number of years, largely due to impacts of invasive species and predators on production. The information submitted in support of the renewal suggests future production is viable with appropriate predation mitigation measures in place. Should the site not be operated as planned, the Department's site utilization review procedures will commence. AQ#0921 is one of five aquaculture sites within Lennox Passage that are operated by Bounty Bay Shellfish Inc. and their affiliated company PEI Mussel Farms Inc.

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 amendment to AQ#0921 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. AQ#0921 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 and keep each site marked during the term of their licence. Furthermore, AQ#0921 is required to maintain compliance with Transport Canada as it relates to Navigable Waters.

The Farm Operations section of the Farm Management Plan for AQ#0921 will require the operator to indicate how they will operate AQ#0921 in accordance with industry best practices with respect to maintaining the site in good order, the removal of decommissioned farm supplies and equipment, and the retrieval of gear or debris that has broken loose. Any complaints received by the Province of Nova Scotia specific to a particular aquaculture site, such as AQ#0921, are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

AQ#0921 is one of eight shellfish aquaculture sites located within Lennox Passage, Richmond County, the nearest of which (AQ#0725) is located approximately 530 metres to the south. AQ#0921 is located near Indian Island, approximately 140 metres from the shoreline at its nearest point. The physical separation of AQ#0921 from the shoreline and neighboring 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 #0921 and Lease #0921 shall be amended to authorize the cultivation of sugar kelp. Except as expressly amended, Licence #0921 and Lease #0921 shall continue in full force and effect, including terms and conditions.

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*.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

February 26, 2021

Date