

Findings and Decision – Renewal Application of Bowline Incorporated for AO#1346

1. Overview:

On August 31, 2020, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Bowline Incorporated to renew Aquaculture Licence and Lease #1346 (AQ#136), as described below:

Table 1. Description of Aquaculture Licence and Lease #1346

Type: Marine	Size: 4.50 HA
Number: AQ#1346	Cultivation Method: Bottom cultivation without gear and suspended cultivation
Applicant: Bowline Incorporated	Species: American oyster
Location: Mabou Harbour, Inverness County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1346 was first issued on February 16, 2011 for a ten year term (February 2, 2011 to February 1, 2021).

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(b) of the Aquaculture Licence and Lease Regulations and was completed on December 22, 2020.

3.2 Public Comment Period

Notice of the application for the assignment of AQ#1352 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of November 5, 2020 to December 4, 2020. Notice of the application was also published in the Royal Gazette Part I on November 10, 17, 24 and December 1, 2020.

3.3 Submissions

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

4. Factors to be considered

The renewal plan indicates continued production is planned for this site and therefore resulting in employment. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. A review of the information submitted 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 negative impacts on other fisheries. The successful growth of American oysters in Mabou Harbour has been proven. AQ#1346 is licensed to cultivate American oyster, and there is no evidence to suggest that shellfish aquaculture has impacts on the sustainability of wild salmon.

The information reviewed did not indicate adverse impacts on the surrounding public waters. AQ#1346 is located within waters that are currently classified as *Conditionally Approved* by the Canadian Shellfish Sanitation Program (CSSP); therefore, product can only be harvested pursuant to a Conditional Management Plan that is approved by the CSSP Partners (Fisheries and Oceans Canada, Environment and Climate Change Canada, and the Canadian Food Inspection Agency).

AQ#1346 is authorized to cultivate shellfish using suspended gear, and as such the gear must remain within the geographic boundaries of the site. The operator of AQ#1346 will be required to adhere to the navigation requirements of the Canadian Navigable Waters Act, including necessary site marking requirements.

The Farm Operations section of the Farm Management Plan for AQ#1346 will require the operator to indicate how they will operate AQ#1346 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#1346, are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

AQ#1346 is located in the nearshore environment of Mabou Harbour, near MacPhees Island. AQ#1346 is one of nine shellfish aquaculture sites located within Mabou Harbour, and is located approximately 30 metres from the nearest aquaculture site (AQ#1327). There is no evidence to suggest that the extent of existing aquaculture in the area has exceeded the carrying capacity of the area.

5. Decision

Based on the considerations above, Aquaculture Licence #1346 shall be renewed for a period of ten years (February 1, 2021 to January 31, 2031) and Aquaculture Lease #1346 shall be renewed for a period of twenty years (February 1, 2021 to January 31, 2041).

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 conditions shall apply:

The operator shall adhere to the following site marking requirements:

- (a) Mark each corner and angle of the lease from May 1 to November 30, annually;
- (b) Mark each corner and angle of the lease with cautionary yellow buoy of a minimum 16 inches in diameter;
- (c) Display "PRIV" in black, on opposite sides of each buoy;
- (d) At 1 corner buoy, display in black, the licence/lease number, licence holder's name and contact phone number.



Robert Ceschiutti
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Nova Scotia Department of Fisheries and Aquaculture

January 20, 2021

Date