

Findings and Decision - Renewal Application of Lisa Nishi for AQ#1361

1. Overview:

On November 16, 2021, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Lisa Nishi to renew Aquaculture Licence and Lease #1361 (AQ#1361), as described below:

Table 1. Description of Aquaculture Licence and Lease #1361

Type: Marine	Size: 2.67 HA
Number: AQ#1361	Cultivation Method: Bottom shellfish without gear
Applicant: Lisa Nishi	Species: American oyster
Location: Mabou Harbour, Inverness County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1361 was first issued on June 13, 2012, for a ten-year term (May 2, 2012 to May 1, 2022).

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 March 29, 2022.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1361 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of February 10, 2022 to March 11, 2022. Notice of the application was also published in the Royal Gazette Part I on February 16, February 23, March 2, March 9, 2022.

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 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 indicated the 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 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 oyster in Mabou Harbour has proven. AQ#1361 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#1361 is located within waters that are currently classified as *Closed* by the Canadian Shellfish Sanitation Program (CSSP) under Prohibition Order No. GSN-2021-022.

AQ#1361 is one of nine shellfish aquaculture sites located within Mabou Harbour and is located nearly adjacent to AQ#1306 (also issued to Lisa Nishi). 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 #1361 shall be renewed for a period of 10 years (May 2, 2022 to May 1, 2032) and Aquaculture Lease #1361 shall be renewed for a period of 20 years (May 2, 2022 to May 1, 2042).

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 each corner and angle of the lease from May 1 to November 30, annually;
- b) Mark each corner and angle of the lease with a 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

April 1, 2022

Date