

Findings and Decision- Renewal Application of Darrell E. MacLeod for AQ#0627

1. Overview:

On October 17, 2018 the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Darrell E. MacLeod to renew Aquaculture Licence and Lease #0627 (AQ#0627), as described below:

Table 1. Description of Aquaculture Licence and Lease #0627

Type: Marine Shellfish	Size: 17.39 HA
Number: AQ#0627	Cultivation Method: Suspended shellfish method
Applicant: Darrell E. MacLeod	Species: Blue Mussel, American oyster
Location: North Harbour, Victoria County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0627 was first issued on April 14, 1994 to Michael Burton for a ten year term from April 18, 1994 to April 18, 2004. AQ#0627 was assigned from Michael Burton to Cape North Mussels Limited on February 14, 2001. AQ#0627 was renewed in the name of Darrell E. MacLeod on March 31, 2004 for a term of five years from April 18, 2004 to April 18, 2009. AQ#0627 was renewed on May 15, 2009 for a five year term from April 18, 2009 to April 18, 2014. AQ#0627 was renewed on April 16, 2014 for a five year term from April 18, 2014 to April 18, 2019. AQ#0627 was amended on September 10, 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(d) of the Aquaculture Licence and Lease Regulations and was completed on January 16, 2019.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0627 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 6, 2018 to January 4, 2019. Notice of the application was also published in the Royal Gazette Part I on December 12, 19, 26, 2018 and January 2, 2019.

3.3 Submissions

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

4. Factors to be considered

A review of the file indicates the site has had consistent annual production over the last ten years. Records indicate continuous employment. The renewal development 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. Performance review indicates contribution to local economy through culture of market sized shellfish and use of supporting businesses.

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. AQ#0627 is licensed to cultivate Blue mussel, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon. The successful growth of Blue mussel in North Harbour using suspended methods has been proven. AQ#0627 is also authorized for the cultivation of American oysters. As North Harbour is classified as MSX positive, the movement of shellfish product out of the Harbour requires heightened oversight; however, there are no indications that the operation of AQ#0627 has had a detrimental impact on either North Harbour or other locations.

There are no recorded instances on file of AQ#0627 interfering with other users of the public waters surrounding the operation. AQ#0627 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#0627 is required to maintain compliance with Transport Canada as it relates to Navigable Waters.

AQ#0627 is located in North Harbour, along with three other Aquaculture sites. AQ#0627 is located within approximately 60 metres of the shoreline at its nearest point. The nearest site to AQ#0627 is AQ#0758 (issued to Cape North Mussels Ltd.). Individual sites within North Harbour are geographically separated, providing corridors through which other users can navigate. 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 #0627 shall be renewed for a period of 10 years (April 18, 2019 to April 18, 2029) and Aquaculture Lease #0627 shall be renewed for a period of 20 years (April 18, 2019 to April 19, 2039).

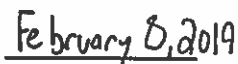
The Licence and Lease documents shall be prepared in accordance with the standard operating documents of NSDFA, and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.



Brennan Goreham

Aquaculture Administrator

Nova Scotia Department of Fisheries and Aquaculture



Date