

Findings and Decision- Amendment Application of Premium Seafoods Limited for AQ#0692

1. Overview:

On March 21, 2018, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Premium Seafoods Limited to amend Aquaculture Licence and Lease #0692(AQ#0692) to authorize the cultivation of sugar kelp, as described below:

Table 1. Description of Aquaculture Licence and Lease #0692

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| Type: Species Amendment | Current Size: 8.22 HA |
| Number: AQ#0692 | Current Cultivation Method: Suspended cultivation |
| Applicant: Premium Seafoods Limited | Current Species: Blue mussel, American oyster, Giant sea scallop |
| Location: Arichat Harbour, Richmond County | Proposed Amendment: authorize suspended cultivation of Sugar Kelp |

2. History

AQ#0692 was first issued to Andrew Leblanc on July 11, 1994 for a ten-year term (July 18, 1994 to July 18, 2004). AQ#0692 was assigned on May 26, 1999 from Andrew Leblanc to Madame Isle Sea Farms Ltd. AQ#0692 was assigned on June 20, 2001 from Ernst & Young Inc. to 3057289 Nova Scotia Ltd. AQ#0692 was issued to 3057289 Nova Scotia Ltd on October 25, 2001 for a three-year term from October 25, 2001 to October 25, 2004. AQ#0692 was issued to Darren E. Porter on April 25, 2006 for a five-year term from March 1, 2006 to March 1, 2011. AQ#0692 was issued to Premium Seafoods Limited on November 21, 2012 for a five-year term from October 24, 2012 to October 23, 2017. AQ#0692 was issued to Premium Seafoods Limited on October 16, 2017 for a ten-year term from October 23, 2017 to October 23, 2027. AQ#0692 Lease was issued to Premium Seafoods Limited on October 16, 2017 for a twenty-year term from October 23, 2017 to October 23, 2027. AQ#0692 amended the boundaries, with no increase in size on August 13, 2018.

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 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 July 3, 2018.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0692 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for

the period of September 13, 2018 to October 12, 2018. Notice of the application was also published in the Royal Gazette Part I on September 12, 19, 26 and October 3, 2018.

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 indicated Giant sea scallop production in recent years; however, the amendment plan indicated planned productive of Sugar kelp. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. The performance review indicates that successful development of this site will have a positive impact on the local and provincial community. Premium Seafoods Limited also operates a multi-species processing operation in Arichat. The intent of the amendment of Sugar kelp will allow for the operator to ascertain the commercial viability of this species for further development and diversification.

There are no recorded instance on file of AQ#0692 interfering with other users of the public waters surrounding the operation. AQ#0692 is authorized to cultivate shellfish using suspended gear, and as such the gear must remain within the amended geographic boundaries of this 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 and lease. Furthermore, the operator is required to adhere to the navigation protection provisions of Transport Canada.


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#0692 is licenced to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon.

AQ#0692 is approximately 80 metres further from the shoreline at its nearest point. AQ# 0692 is one of three aquaculture sites located within Arichat Harbour. AQ#0667 (Shellfish) is less than 1.00km to the south of AQ#0692, and AQ#0714 (Marine Finfish) is less than 1.00km to the west of AQ#0692. The physical separation of AQ#0692 from the shoreline and neighbouring aquaculture sites provides for multiple corridors within the harbor. There is no evidence to suggest that the extent of existing aquaculture in the harbor has exceeded the carrying capacity of the harbor.

5. Decision

Based on the considerations above, Aquaculture Licence #0692 and Lease #0692 shall be amended to authorize the cultivation of sugar kelp. Except as expressly amended, Licence #0692 and Lease #0692 shall continue in full force and effect.

The Licence and Lease amendment 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*.



Brennan Goreham
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Oct 26 118
Date