

Findings and Decision- Renewal Application of Snow Island Salmon Inc. for AQ#1100

1. Overview:

On November 1, 2018, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received a completed application from Snow Island Salmon Inc. to renew Aquaculture Licence and Lease #1100 (AQ#1100), as described below:

Table 1. Description of Aquaculture Licence and Lease #1100

Type: Marine Shellfish	Size: 8.26 HA
Number: AQ#1100	Cultivation Method: Suspended shellfish method
Applicant: Snow Island Salmon Inc.	Species: Blue Mussel
Location: Tor Bay, Guysborough County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1100 was first issued to Leonard Avery on January 11, 1999 for a three year term (January 11, 1999 to January 11, 2002). AQ#1100 was renewed on March 8, 2002 for a seven year term (January 11, 2002 to January 11, 2009). AQ#1100 was assigned on July 31, 2007 from Leonard Avery to Victoria Avery. AQ#1100 was renewed on July 21, 2009 for a five year term (January 11, 2009 to January 10, 2014). AQ#1100 was assigned on May 9, 2012 from Victoria Avery to Snow Island Salmon Inc. AQ#1100 was renewed on May 14, 2014 for a five year term (January 10, 2014 to January 10, 2019).

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 March 4, 2019.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0075 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 and 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

Although Snow Island Salmon Inc. has expressed past interest in using this site for the cultivation of Atlantic salmon, AQ#1100 is currently only authorized for the suspended cultivation of Blue mussels. As such, the renewal application for AQ#1100 is solely based on the site being renewed for the purposes of Blue mussel cultivation and does not offer any commentary on the suitability of the site for Atlantic Salmon cultivation. This decision does not consider Atlantic Salmon with respect to the eight regulatory factors found in Section 3 of the *Aquaculture Licence and Lease Regulations*; rather, this decision speaks only to the eight regulatory factors with respect to the history of AQ#1100 and its renewal as an existing blue mussel site.

Under the current aquaculture legislative and regulatory framework, an amendment to an existing non-fish aquaculture site would be considered an adjudicative amendment. Such an application would require Snow Island Salmon Inc. to conduct scoping activities, including at least one public meeting in the area of the site. Snow Island Salmon Inc. would be required to submit an application, including a detailed development plan and scoping report, to the Nova Scotia Department of Fisheries and Aquaculture (NSDFA). This application would be reviewed by NSDFA staff, as well as provided to a variety of other government bodies for comment. Decisions on adjudicative amendment applications are made by the Nova Scotia Aquaculture Review Board (NSARB) and are based on the eight regulatory factors found in Section 3 of the *Aquaculture Licence and Lease Regulations*. Furthermore, through the NSARB process, there are multiple opportunities for members of the public to participate in the decision-making process.

The performance review and subsequent public comment period did not note negative interactions with 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#1100 is licensed to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon. AQ#1100 was last in production as a mussel site in 2003, and as such the successful growth of blue mussels in Tor Bay is historically proven. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters.

There are no substantiated instances on file of AQ#1100 interfering with other users of the public waters surrounding the operation. AQ#1100 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 (see below) and keep each site marked during the term of their licence. Furthermore, AQ#1100 is required to maintain compliance with Transport Canada as it relates to Navigable Waters.

AQ#1100 is located in the western portion of Tor Bay, approximately 400 metres from the shoreline at its nearest point. The nearest aquaculture sites to AQ#1100 are located more than 15.0 km away in Whitehead Harbour. As such, the physical separation of AQ#1100 from the

shoreline and neighbouring aquaculture sites provides for multiple corridors within the area. 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 #1100 shall be renewed for a period of 10 years (January 10, 2019 to January 10, 2029) and Aquaculture Lease #1100 shall be renewed for a period of 20 years (January 10, 2019 to January 10, 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