

**Findings and Decision - Renewal Application of Aquaprime Mussel Ranch Limited for AQ#0168**

**1. Overview:**

On March 12, 2020, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Aquaprime Mussel Ranch Limited to renew Aquaculture Licence and Lease #0168 (AQ#0168), as described below:

Table 1. Description of Aquaculture Licence and Lease #0168

<b>Type:</b> Marine	<b>Size:</b> 8.82 HA
<b>Number:</b> AQ#0168	<b>Cultivation Method:</b> Suspended cultivation
<b>Applicant:</b> Aquaprime Mussel Ranch Limited	<b>Species:</b> Blue mussel
<b>Location:</b> Ship Harbour, Halifax County	<b>Proposed Term:</b> 10 year Licence/20 year Lease

**2. History**

AQ#0168 Licence and Lease was first issued to Kenneth Marks on August 31, 1990 for a ten year term (September 1, 1990 to August 31, 2000). AQ#0168 was assigned on October 4, 1994 from Kenneth Marks to Aquaprime Mussel Ranch Limited. AQ#0168 was renewed on September 19, 2000 for a five year term (September 19, 2000 to September 19, 2005). AQ#0168 was renewed on July 28, 2005 for a five year term (September 19, 2005 to September 19, 2010). AQ#0168 was renewed on July 20, 2011 for a five year term (September 19, 2010 to September 18, 2015). AQ#0168 was renewed on August 4, 2015 for a five year term (September 18, 2015 to September 18, 2020). AQ#0168 was assigned on April 26, 2018 to new shareholders of Aquaprime Mussel Ranch Limited.

**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 September 15, 2020.

*3.2 Public Comment Period*

Notice of the application for the renewal of AQ#0168 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for

the period of June 25, 2020 to July 24, 2020. Notice of the application was also published in the Royal Gazette Part I on July 22, 29, July 6, 13, and 20, 2020.

### *3.3 Submissions*

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

## **4. Factors to be considered**

AQ#0168 is one of seven marine shellfish sites issued to the operator in Ship Harbour. AQ#0168 has had cyclical production over the past number of years, largely due to impacts of invasive species and predators on production. The information submitted in support of the renewal suggests future production is viable with appropriate predation mitigation measures in place. Should the site not be operated as planned, the Department's site utilization review procedures will commence.

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. There is no evidence that the renewal of AQ#0168 will have impacts on the sustainability of wild salmon. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters. AQ#0168 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#0168 is required to maintain compliance with Transport Canada as it relates to Navigable Waters.

The Farm Operations section of the Farm Management Plan for AQ#0168 will require the operator to indicate how they will operate AQ#0168 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#0168, are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

AQ#0168 is located in the upper region of Ship Harbour, south of AQ#0025 and AQ#1241 (also issued to Aquaprime Mussel Ranch Limited). AQ#0168 is located in the nearshore environment. The physical separation of AQ#0168 from the shoreline and neighbouring sites provides for multiple corridors within the harbour. 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 #0168 shall be renewed for a period of 10 years (September 19, 2020 to September 18, 2030) and Aquaculture Lease #0168 shall be renewed for a period of 20 years (September 19, 2020 to September 18, 2040).

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 all corners of the leased site with cautionary yellow buoys of a minimum of 60 cm in diameter;
- b) mark all corners of the leased bottom with a cement block or similar device of a weight sufficient to ensure the cement block or device remains in place at all times; and
- c) display the licence or lease number of 1 corner of the licenses or leased area.



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**Aquaculture Administrator**  
**Nova Scotia Department of Fisheries and Aquaculture**

October 5, 2020

**Date**