

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

1. Overview:

On January 11, 2018 the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an assignment application from Aquaprime Mussel Ranch Limited to assign Aquaculture Licence and Lease #0168 (AQ#0168), as described below:

Table 1. Description of Aquaculture Licence and Lease #0168

Type: Marine Shellfish	Location: Ship Harbour, Halifax County
Number: AQ#0168	Size: 8.82 HA
Assignor: Aquaprime Mussel Ranch Limited (current ownership)	Cultivation Method: Suspended shellfish method
Assignee: Aquaprime Mussel Ranch Limited (prospective ownership)	Species: Blue mussel

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).

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their assignment application was completed. This review recommended that the site be assigned based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(b) of the Aquaculture Licence and Lease Regulations was completed on April 18, 2018.

3.2 Public Comment Period

Notice of the application for the assignment 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 January 25, 2018 to February 23, 2018. Notice of the application was also published in the Royal Gazette Part I on January 24, 31, and February 7, 14, 2018.

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 shellfish aquaculture sites currently held by Aquaprime Mussel Ranch Limited. Records indicate consistent production and resultant employment. The assignment plan indicates continued contributions to the local economy through a processing and shipping facility. Should the site

not be operated as indicated, the Department's site utilization review procedures will be triggered. The new ownership of Aquaprime Mussel Ranch Limited has experience in shellfish farming and seafood distribution.

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. Records indicate impacts of invasive species and duck predation, with mitigation efforts on-going to address these challenges. AQ#0168 is licensed to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon. The successful growth of blue mussels in Ship Harbour is proven. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters.

There are no recorded instances on file of AQ#0168 interfering with other users of the public waters surrounding the operation. 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. The operator must also continue to hold approval from Transport Canada as it relates to navigable waters. Also, it is a requirement for the equipment and aquacultural produce to remain within the geographic boundaries of the site.

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). It is one of seven sites currently issued in Ship Harbour (all 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 aquaculture 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, the right, title, and interest of the current ownership of Aquaprime Mussel Ranch Limited in and to Aquaculture Licence #0168 and Aquaculture Lease #0168 is hereby assigned to the prospective ownership of Aquaprime Mussel Ranch Limited. The assignment shall have an effective date of April 26, 2018. The approval 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
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

April 26, 2018
Date