

Findings and Decision- Renewal Application of Future Seafoods Inc. for AQ#1351

1. Overview:

On November 24, 2019, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Future Seafoods Inc. to renew Aquaculture Licence and Lease #1351 (AQ#1351), as described below:

Table 1. Description of Aquaculture Licence and Lease #1351

Type: Marine	Size: 17.26HA
Number: AQ#1351	Cultivation Method: Bottom cultivation without gear
Applicant: Future Seafoods Inc.	Species: American oyster
Location: Caribou Harbour, Pictou County	Proposed Term: 10 year Licence/10 Year Lease

2. History

AQ#1351 was first issued to Future Seafoods Inc. on June 28, 2010 for a ten year term (July 2, 2010 to July 1, 2020);

AQ#1351 was amended on May 15, 2013 to expand the size of the site from 7.46 Hectares to 17.25 Hectares;

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(c) of the Aquaculture Licence and Lease Regulations, and was completed on April 7, 2020.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1351 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 9, 2020 to February 7, 2020. Notice of the application was also published in the Royal Gazette Part I on January 9, January 16, January 23 and January 30, 2020.

3.3 Submissions

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

4. **Factors to be considered**

Review of the file indicates that the site has had consistent production and employment since initial issuance. AQ#1351 is an integral component of the operator's multi-site aquaculture operation. The information in support of the renewal suggests continued production is planned for this site and continued employment. Department staff will continue to monitor that production plans are implemented as submitted.

The performance review noted that there are no expected impacts on fisheries activities as a result of the renewal of this lease and licence. There were no ecological concerns identified in the past performance of this site with respect to negative impacts on other fisheries. AQ#1351 is licensed to cultivate shellfish species, and as such there is no evidence that shellfish aquaculture will have impacts on the sustainability of wild salmon. The successful growth of American oysters in Caribou Harbour has been 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#1351 interfering with other users of the public waters surrounding the operation. AQ#1351 must maintain compliance with Transport Canada as it relates to navigable waters. 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. The Licence and lease approval documents for AQ#1351 will allow for access to the site by the general public for recreational and other fishery activities, provided other users do not harvest the aquacultural product on the site.

The Farm Management plan of AQ#1351 has been conditionally approved. The Farm Operations section of the Farm Management Plan for AQ#1351 will require the operator to indicate how they will operate AQ#1351 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#1351, are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

AQ#1351 is located in the northwestern portion of Caribou Harbour and is located in the nearshore environment. The nearest site to AQ#1351 is AQ#1326, which is located approximately 4.00 kilometres to the southeast. There are a total of four shellfish aquaculture sites within Caribou Harbour. The physical separation between sites addresses any concerns with respect to navigation between them. 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 #1351 shall be renewed for a period of 10 years (July 1, 2020 to July 1, 2030) and Aquaculture Lease #1351 shall be renewed for a period of 20 years (July 1, 2020 to July 1, 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 each corner and angle of the lease from May 1 to November 30, annually;
- b) Mark each corner and angle of the lease with a cautionary yellow buoy of a minimum 16 inches in diameter;
- c) Display "PRIV" in black, on opposite sides of each buoy;
- d) At 1 corner buoy, display in black, the licence/lease number, licence holder's name and contact phone number.



April 7th, 2020

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

Date